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FILE NO. 130-92-4 RESOLUTION NO. 601-92

[Anti-Drug Abuse Funds]
AUTHORIZING THE CHIEF ADULT PROBATION OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND FUNDS IN THE AMOUNT OF $188,400, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $9,370 BASED ON 5 PERCENT OF THE TOTAL PROJECT COST LESS EQUIPMENT PURCHASES, MADE AVAILABLE THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "SAN FRANCISCO ADULT PROBATION'S DRUG ABATEMENT PROJECT".

WHEREAS, The Chief Adult Probation Officer of the City and County of San Francisco desires to undertake a certain project designated San Francisco Adult Probation's Drug Abatement Project to be funded in part from funds made available through the Anti-Drug Abuse Act of 1986 for the Anti-Drug Abuse Program administered through the Office of Criminal Justice Planning (hereinafter referred to as OCJP); now, therefore, be it

RESOLVED, That the Chief Adult Probation Officer of the City and County of San Francisco is authorized, on its behalf to submit the attached proposal for anti-drug abuse purposes to OCJP and is authorized to execute on behalf of the Board of Supervisors of the City and County of San Francisco the attached Grant Award for anti-drug abuse purposes; and, be it

FURTHER RESOLVED, That the applicant agrees to provide all matching funds required for said project under the Anti-Drug Abuse Program and the rules and regulations of OCJP and that cash will be appropriated as required thereby; and, be it

FURTHER RESOLVED, That in the event OCJP consents to fund said project, the Chief Adult Probation Officer of the City and County of San Francisco is authorized to execute said project, including

applications for and acceptance of any extensions or amendments to this grant, that would not increase the matching fund obligations of the City and County of San Francisco pursuant to the grant; and, be it

FURTHER RESOLVED, That it is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That indirect costs (at a rate of 5 percent of total project cost less equipment purchases equalling $9,370) to the City and County of San Francisco for the Operation of this grant have been included in this grant budget; and, be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and, be it

FURTHER RESOLVED, That the Chief Adult Probation Officer of the City and County of San Francisco is authorized to apply for, retroactively, accept and expend funds in the amount of $188,400 made available through OCP for a project entitled "San Francisco Adult Probation's Drug Abatement Project."

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Frank M. Jordan, Mayor
City & County of San Francisco

EDWARD HARRINGTON
CONTROLLER
By

Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
130-92-4

JUL 14 1992
Date Approved

Acting Mayor

AMENDMENT OF THE WHOLE - 7/8/92

FILE NO. 138-92-2 RESOLUTION NO. 602-92

[Grant - State Funds]
AUTHORIZING THE DISTRICT ATTORNEY OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY, RETROACTIVELY, FOR FUNDS IN THE AMOUNT OF $112,970, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $5,649 BASED ON 5 PERCENT OF TOTAL PROJECT COSTS, AVAILABLE THROUGH THE OFFICE OF THE ATTORNEY GENERAL FOR THE OPERATION OF A PROJECT ENTITLED "CHILD VICTIM WITNESS INVESTIGATIVE PILOT PROJECT" FOR THE TWELVE MONTH PERIOD OF JULY 1, 1992 THROUGH JUNE 30, 1993.

WHEREAS, the District Attorney of the City and County of San Francisco desires to undertake a certain project designated Child Victim Witness Investigative Pilot Project to be funded in part from funds made available through the California Child Victim Witness Pilot and Demonstration Programs Act of 1989 for the California Child Victim Witness Pilot and Demonstration Program administered by the Office of the Attorney General; and

WHEREAS, the District Attorney of the City and County of San Francisco is authorized to submit the attached Grant Award Application to the Office of the Attorney General and is authorized to execute on behalf of the City and County of San Francisco the attached Grant Award for Child Victim Witness Investigative Pilot Project; and be it

RESOLVED, that indirect costs (at a rate of 5 percent of the total project costs, which equals $5,649) to the City and County of the operation of this grant have been included in the grant budget; and, be it

FURTHER RESOLVED that the District Attorney of the City and County of San Francisco is authorized to apply for funds in the amount of $ 112,970 made available through the Office of the Attorney General for a project entitled "Child Victim Witness Investigative Pilot Project" for the twelve month period July 1, 1992 through June 30, 1993.

Frank M. Jordan
Frank M. Jordan, Mayor
City and County of San Francisco

EDWARD HARRINGTON
CONTROLLER
By John Wheadon

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
138-92-2

JUL 14 1992
Date Approved

Jack Gonzalez
Acting Mayor

AMENDMENT OF THE WHOLE - 7/8/92

FILE NO. 138-92-3 RESOLUTION NO. 603-92

[Grant - State Funds]
AUTHORIZING THE DISTRICT ATTORNEY OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND GRANT FUNDS IN THE AMOUNT OF $236,141, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $12,369 BASED ON 5 PERCENT OF TOTAL PROJECT COSTS, AVAILABLE THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR THE OPERATION OF THE CAREER CRIMINAL PROGRAM FOR THE TWELVE MONTH PERIOD OF JULY 1, 1992 THROUGH JUNE 30, 1993 AND AGREEING TO PROVIDE CASH MATCH IN THE AMOUNT OF $23,614.

WHEREAS, The County of San Francisco desires to continue a certain project designated San Francisco Career Criminal Progra to be funded in part from funds made availabe through State Control Funds as authorized by Chapter 42, 1982 Statutes for the California Career Criminal Prosecution (CCP) Program administered by the Office of Criminal Justice Planning; now, therefore, be it

RESOLVED, That the District Attorney of the City and County of San Francisco, is authorized to submit the attached Grant Award Application to the California Office of Criminal Justice Planning and is authorized to execute on behalf of the City and County of San Francisco the Grant Award for Career Criminal Prosection purposes, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 138-92-3; and be it

FURTHER RESOLVED, That the City and County of San Francisco agrees to provide all matching cash funds in the amount of $23,614 required for said project under the Crime Control Act and under the rules and regulations of the Office of Criminal Justice Planning and that cash wil be appropriated as required thereby; and be it

FURTHER RESOLVED, That indirect costs in the amount of $12,369 based on 5 percent of total project costs, to the City and County for the operation of this grant have been included in the grant budget; and, be it

FURTHER RESOLVED, That state funds received hereunder shall not be used to supplant local funds that would, in the absence of the California Career Criminal Prosecution Program, be made available to support the prosecution of felony cases; and, be it

FURTHER RESOLVED, That any liability arising out of the performance of this Grant Award contract, including Civil Court actions for damages shall be the responsibility of the grantee and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That the District Attorney of the City and County of San Francisco is authorized to apply, retroactively, for funds in the amount of $236,141 made available through the Office of Criminal Justice Planning for a project entitled "CAREER CRIMINAL PROGRAM" for the twelve month period of July 1, 1992 through June 30, 1993.

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(SEE FILE FOR DEPARTMENTAL SIGNATURES)

Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
138-92-3

JUL 14 1992
Date Approved

Jim Gonzalez
Acting Mayor

FILE NO. 138-92-4 RESOLUTION NO. 604-92

[Anti-Drug Abuse Funds]
AUTHORIZING THE DISTRICT ATTORNEY OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND FUNDS IN THE AMOUNT OF $330,812, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $16,541 BASED ON 5 PERCENT OF TOTAL PROJECT COSTS, MADE AVAILABLE THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "SAN FRANCISCO DISTRICT ATTORNEY'S DRUG ABATEMENT PROJECT", FOR THE TWELVE MONTH PERIOD OF JULY 1, 1992 THROUGH JUNE 30, 1993.

WHEREAS, The District Attorney of the City and County of San Francisco desires to undertake a certain project designated San Francisco District Attorney's Drug Abatement Project to be funded in part from funds made available through the Anti-Drug Abuse Act of 1988 for the Anti-Drug Abuse Program administered by the Office of Criminal Justice Planning (hereinafter referred to as OCJP); now, therefore, be it

RESOLVED, That the District Attorney of the City and County of San Francisco is authorized, on its behalf to submit the attached proposal for anti-drug abuse purposes to OCJP and is authorized to execute on behalf of the Board of Supervisors of the City and County of San Francisco the Grant Award for anti-drug abuse purposes, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 138-92-4; and, be it

FURTHER RESOLVED, That the applicant agrees to provide all matching funds required for said project under the Anti-Drug Abuse Program and the rules and regulations of OCJP and that cash will be appropriated as required thereby; and, be it

FURTHER RESOLVED, That in the event the Office of Criminal Justice Planning consents to fund said project, the District Attorney of the City and County of San Francisco is authorized to execute said project, including applications for and acceptance of any extensions or amendments to this grant, that would not increase the matching fund obligations of the City and County of San Francisco pursuant to the grant; and, be it

FURTHER RESOLVED, That it is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That indirect costs in the amount of $16,541 based on 5 percent of total projects costs for the operation of this grant have been included in this grant budget; and, be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and, be it

FURTHER RESOLVED, That the District Attorney of the City and County of San Francisco is authorized to apply for, retroactively, accept and expend funds in the amount of $330,812 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project", for the twelve month period of July 1, 1992 through June 30, 1993.

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
138-92-4

JUL 14 1992
Date Approved

Mayor

AS AMENDED IN COMMITTEE - 7/8/92

FILE NO. 141-92-2 RESOLUTION NO. 605-92

GJ 7/8

(Grant-Private Funding)

AUTHORIZING THE SAN FRANCISCO JUVENILE PROBATION DEPARTMENT TO ~~APPLY FOR~~ RETROACTIVELY, ~~ACCEPT AND EXPEND~~ GRANT MONIES FROM THE SAN FRANCISCO FOUNDATION AND KAISER FAMILY FOUNDATION FOR THE DEVELOPMENT OF A MULTI-DISCIPLINARY ASSESSMENT INSTRUMENT, CLASSIFICATION SYSTEM AND WORKLOAD STUDY ; WAIVING INDIRECT COSTS.

WHEREAS, The San Francisco Juvenile Probation Department wants to develop a delinquency prevention model of services to youth which addresses the causes of juvenile crime and enhances public safety; and

WHEREAS, the basis of this model is dependent on the assessment of the needs of high risk youth utilizing a multi-disciplinary team approach; and

WHEREAS, the San Francisco Juvenile Probation Department wants to conduct a workload study and develop a risk assessment and classification system with a management information system designed to monitor its effectiveness; and

WHEREAS, the San Francisco Juvenile Probation Department has in reserve $35,000, allocated from the County Justice System Subvention Program (AB 90 funds), towards the development of a needs assessment instrument and is in need of additional funds for this project, and

WHEREAS, the San Francisco Foundation and Kaiser Family Foundation would like to support the direct costs of developing a needs assessment instrument classification system, workload study, and the San Francisco Juvenile Probation Department is, therefore, requesting that the indirect cost requirement be waived; and

Juvenile Probation Department

BOARD OF SUPERVISORS

WHEREAS, the San Francisco Juvenile Probation Department would like to apply for, accept and expend these funds for the development of an assessment instrument to identify high risk youth on probation and the treatment services they need to address the causes of delinquency; now therefore, be it

GJ 7/8

RESOLVED, that ~~the Board of Supervisors accepts, on behalf of the City and County of San Francisco and~~ the San Francisco Juvenile Probation Department/ is hereby authorized to apply, retroactively, for grants in the amounts of ~~the department's intent to accept and expend~~ $25,000 from the San Francisco Foundation and $30,000 from the Kaiser Family Foundation. ~~if granted.~~

FURTHER RESOLVED, that the Board of Supervisors does hereby waive indirect costs.

RECOMMENDED: Fred E. Jordan, Jr.
Fred E. Jordan, Jr.
Chief Probation Officer

APPROVED Teresa Serata
OFFICE OF THE MAYOR

John W Madden
CONTROLLER'S OFFICE

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Juvenile Probation Department

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

File No.
141-92-2

JUL 14 1992
Date Approved

Mayor

FILE NO. 143-92-2 RESOLUTION NO. 606-92

[Grant - Federal Funds]
AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND FUNDS IN THE AMOUNT OF $137,962, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $6,898 BASED ON 5 PERCENT OF TOTAL PROJECT COSTS, MADE AVAILABLE THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "SAN FRANCISCO POLICE DEPARTMENT'S DRUG ABATEMENT PROJECT".

WHEREAS, The Chief of Police of the City and County of San Francisco desires to undertake a certain project designated San Francisco Police Department's Drug Abatement Project to be funded in part from funds made available through the Anti-Drug Abuse Act of 1986 for the Anti-Drug Abuse Program administered by the Office of Criminal Justice Planning (hereinafter referred to as OCJP); now, therefore, be it

RESOLVED, That the Chief of Police of the City and County of San Francisco is authorized, on its behalf to submit the attached proposal for anti-drug abuse purposes to OCJP and is authorized to execute on behalf of the Board of Supervisors of the City and County of San Francisco the Grant Award for anti-drug abuse purposes, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 143-92-2; and, be it

FURTHER RESOLVED, That the applicant agrees to provide all matching funds required for said project under the Anti-Drug Abuse Program and the rules and regulations of OCJP and that cash will be appropriated as required thereby; and, be it

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FURTHER RESOLVED, That in the event the Office of Criminal Justice Planning consents to fund said project, the Chief of Police of the City and County of San Francisco is authorized to execute said project, including applications for and acceptance of any extensions or amendments to this grant, that would not increase the matching fund obligations of the City and County of San Francisco pursuant to the grant; and, be it

FURTHER RESOLVED, That it is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That indirect costs to the City and County of San Francisco for the operation of this grant have been included in this grant budget, which is $6,898 at a rate of 5 percent; and, be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and, be it

FURTHER RESOLVED, That the Chief of Police of the City and County of San Francisco is authorized to apply for, retroactively, accept and expend funds in the amount of $137,962 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Police Department's Drug Abatement Project".

(SEE FILE FOR DEPARTMENTAL SIGNATURES)

Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
143-92-2

JUL 14 1992
Date Approved

John Hanson Gonzalez
Mayor

AS AMENDED IN COMMITTEE - 7/8/92

FILE NO. 146-92-36 RESOLUTION NO. 607-92

(Grant - Federal)

GJ 7/8

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO APPLY FOR ~~ACCEPT AND EXPEND~~ A GRANT OF $99,534 FROM THE HEALTH RESOURCES AND SERVICES ADMINISTRATION TO FUND THE FIELD TEST OF THE UNIFORM REPORTING SYSTEM PROJECT; WAIVING INDIRECT COSTS AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

WHEREAS, The Health Resources and Services Administration cannot, by federal legislation, allow for indirect costs for Ryan White Comprehensive AIDS Resources Emergency (CARE) Disaster Relief-funded activities, of which this grant is part; now, therefore be it

GJ 7/8

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to apply for ~~accept, and expend~~ a grant of $99,534 from the Health Resources and Services Administration to fund the Field Test of the Uniform Reporting System Project to the residents of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

EDWARD HARRINGTON
CONTROLLER
By John W Ward

RECOMMENDED:
Raymond J. Baxter, Ph.D.
Director of Health

Jean M. Mariani for
MAYOR

APPROVED:
Sandy Cuye Mori
Health Commission

BOARD OF SUPERVISORS
Public Health

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-36

JUL 14 1992
Date Approved

Acting Mayor

AS AMENDED IN COMMITTEE - 7/8/92

FILE NO. 146-92-37 RESOLUTION NO. 608-92

Grant - State

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH SERVICES, FAMILY HEALTH BUREAU TO APPLY FOR, RETROACTIVELY, / ACCEPT AND EXPEND A GRANT OF $470,379, ~~$470,769,~~ WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $20,530 BASED ON 10% OF ALLOWABLE SALARIES AND A REQUIRED MATCH IN THE AMOUNT OF $318,968, ~~$318,913,~~ WHICH IS 67% OF THE TOTAL AWARD, FROM THE STATE DEPARTMENT OF HEALTH SERVICES, MATERNAL CHILD HEALTH BRANCH FOR PERINATAL OUTREACH SERVICES, AND TO EXECUTE A CONTRACT WITH THE STATE FOR $470,769 AND ANY AMENDMENTS THERETO WHICH DO NOT INCREASE THIS AMOUNT.

GJ 7/8 GJ 7/8

RESOLVED, that the Department of Public Health, Community Public Health Services, Family Health Bureau is hereby authorized to apply for, retroactively, / accept and expend a grant of $470,379 ~~$470,769,~~ which includes indirect costs in the amount of $20, 530 based on 10% of allowable salaries and a required match in the amount of $318,968, ~~$318,913,~~ which is 67% of the total award, from the State Department of Health Services, Maternal Child Health Branch for perinatal outreach services to the residents of San Francisco, and to execute a contract with the State for $470,379 ~~$470,769~~ and any amendments thereto which do not increase this amount.

GJ 7/8 GJ 7/8 GJ 7/8

EDWARD HARRINGTON
CONTROLLER
By

RECOMMENDED:

Raymond J. Baxter, PhD

APPROVED:

Health Commission

Jean M. Mariani Jr.
MAYOR

BOARD OF SUPERVISORS
Public Health

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-37

JUL 14 1992
Date Approved

Acting Mayor

AS AMENDED IN COMMITTEE - 7/8/92

FILE NO. 146-92-38 RESOLUTION NO. 609-92

Grant - State

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH SERVICES, FAMILY HEALTH BUREAU TO ACCEPT AND EXPEND A GRANT OF $377,803, WHICH INCLUDES

GJ 7/8 INDIRECT COSTS IN THE AMOUNT OF ~~$7,046~~ $9,811 BASED ON 10% OF ALLOWABLE SALARIES AND A REQUIRED MATCH IN THE AMOUNT OF $55,971, WHICH IS 14.8% OF THE TOTAL AWARD, FROM THE STATE DEPARTMENT OF HEALTH SERVICES, MATERNAL CHILD HEALTH BRANCH FOR PERINATAL AND RELATED SERVICES, AND TO EXECUTE A CONTRACT WITH THE STATE FOR $377,803 AND ANY AMENDMENTS THERETO WHICH DO NOT INCREASE THIS AMOUNT.

RESOLVED, that the Department of Public Health, Community Public Health Services, Family Health Bureau is hereby authorized to accept and expend a grant

GJ 7/8 of $377,803, which includes indirect costs in the amount of ~~$7,046~~ $9,811 based on 10% of allowable salaries and a required match in the amount of $55,971, which is 14.8% of the total award, from the State Department of Health Services, Maternal Child Health Branch for perinatal and related services to the residents of San Francisco, and to execute a contract with the State for $377,803 and any amendments thereto which do not increase this amount.

EDWARD HARRINGTON
CONTROLLER
By [signature]

RECOMMENDED:

[signature]
Raymond J. Baxter, PhD
Director of Health

APPROVED:

[signature]
Health Commission

Jean M. Mariani for
MAYOR

BOARD OF SUPERVISORS
Public Health

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 146-92-38

JUL 14 1992
Date Approved

[signature]
Mayor

FILE NO. 146-92-41 RESOLUTION NO. 610-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO APPLY FOR A CONTINUATION GRANT OF $1,794,405, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $207,155, BASED ON 20% OF PERSONNEL COSTS, FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL, TO CONTINUE FUNDING THE EPIDEMIOLIGIC STUDY OF THE NATURAL HISTORY OF HIV/AIDS IN HOMOSEXUAL/BISEXUAL MEN PREVIOUSLY ENROLLED IN STUDIES OF HEPATITIS B INFECTION.

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to apply for a continuation grant of $1,794,405, which includes indirect costs in the amount of $207,155, based on 20% of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemiologic Study of the Natural History of HIV/AIDS in Homosexual/Bisexual Men Previously Enrolled in Studies of Hepatitis B Infection for the residents of San Francisco.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Public Health

Ken M. Mariani
Mayor's Office

CC

DOCUMENTS DEPT.
JUL 27 1992
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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Britt Conroy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-41

JUL 14 1992
Date Approved

Mayor

FILE NO. 146-92-43 RESOLUTION NO. 611-92

CC

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO ACCEPT AND EXPEND A SUPPLEMENTAL GRANT OF $39,501 FROM THE HEALTH RESOURCES AND SERVICES ADMINISTRATION TO AUGMENT THE RYAN WHITE COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE/TITLE I FORMULA) DISASTER RELIEF GRANT; WAIVING INDIRECT COSTS AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

WHEREAS, The Health Resources and Services Administration does not, by federal legislation, allow for indirect costs for CARE-funded services; now, therefore be it

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to accept and expend a supplemental grant of $39,501 from the Health Resources and Services Administration to augment the Ryan White Comprehensive AIDS Resources Emergency (CARE/Title I Formula) Disaster Relief Grant for the residents of San Francisco, and be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

EDWARD HARRINGTON
CONTROLLER
By

APPROVED:

Health Commission

Jean M. Mariani
Mayor's Office

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Britt Conroy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 146-92-43

JUL 14 1992
Date Approved

Acting Mayor

FILE NO. 146-92-44 RESOLUTION NO. 612-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO ACCEPT AND EXPEND A SUPPLEMENTAL GRANT OF $420,851, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $45,418, BASED ON 20% OF SALARIES, FROM THE CENTERS FOR DISEASE CONTROL TO FUND THE HIV INCIDENCE IN HOMOSEXUAL/BISEXUAL MALES RESEARCH PROJECT; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to accept and expend a supplemental grant of $420,851, which includes indirect costs of $45,418, based on 20% of salaries, from the Centers for Disease Control to fund the HIV Incidence in Homosexual/Bisexual Males Research Project to the residents of San Francisco; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Public Health

Jean M. Mariani
Mayor's Office

CC

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Britt Conroy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-44

JUL 14 1992,
Date Approved

Acting Mayor

FILE NO. 146-92-45 RESOLUTION NO. 613-92

(Comprehensive Tobacco Control Plan and Budget)

AUTHORIZING ADOPTION OF THE 1992-94 COMPREHENSIVE TOBACCO CONTROL PLAN AND BUDGET AND SUPPLEMENTAL PERINATAL OUTREACH PLAN

WHEREAS, the State statutes and regulations require counties to adopt a comprehensive tobacco control plan and budget and supplemental perinatal outreach plan and budget which describe the proposed use of Comprehensive Tobacco Use Control and Supplemental Perinatal Outreach funds to the Department of Health Services, and

WHEREAS, the 1990-92 Comprehensive Tobacco Control Plan and Budget have been adopted through Resolution No. 121-91 and authority to apply for, accept and expend a grant of $1,595,327 for the 1990-92 Comprehensive Tobacco Control Plan was granted by the Board of Supervisors on February 14, 1991 through Resolution No. 118-91; and

WHEREAS, the Department of Public Health has prepared a Comprehensive Tobacco Control Plan for 1992-94 which supersedes the plan approved in Resolution 121-91; and

WHEREAS, the Department of Public Health has prepared a Supplemental Perinatal Outreach Plan as required by state law; now therefore be it

RESOLVED, that the 1992-94 Comprehensive Tobacco Control Plan and Budget and Supplemental Perinatal Outreach Plan and Budget are hereby adopted for submission to the State Department of Health Services.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Sandy Ouye Mori
Health Commission

BY: Jean M. Maiani
Mayor's Office

EDWARD HARRINGTON
CONTROLLER
By John W Heald

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Britt Conroy Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
146-92-45

JUL 14 1992

Date Approved

Mayor

FILE NO. 146-92-46 RESOLUTION NO. 614-92

[Allocation - State Funds]
AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH, BUREAU OF HEALTH PROMOTION AND EDUCATION, TO ACCEPT AND EXPEND $2,127,666, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $127,932 (CONSISTING OF $107,402 OR 15 PERCENT OF TOTAL PERSONNEL COSTS INCLUDING FRINGE BENEFITS FOR THE COMPREHENSIVE TOBACCO CONTROL PLAN, AND $20,530 OR 10 PERCENT OF SALARIES FOR PERINATAL OUTREACH ACTIVITIES), PROVIDED THAT THE DEPARTMENT OF PUBLIC HEALTH EXPENDS THE FUNDS CONSISTENT WITH THE 1992-94 COMPREHENSIVE TOBACCO CONTROL PLAN AND BUDGET, AND THE SUPPLEMENTAL PERINATAL OUTREACH PLAN AND BUDGET; PLACING $863,831 ON RESERVE.

WHEREAS, The Board of Supervisors has authorized the Department of Public Health to accept a $1,063,009 allocation of AB99 Tobacco Tax funds for 1991-92 (Resolution No. 68-92); and

WHEREAS, The Board did not authorize the Department to expend these funds because it wanted the Department first to formulate its tobacco control budget and plan; and

WHEREAS, The Department has formulated a 1992-94 Comprehensive Tobacco Control Plan and Budget, which is now before the Board for its approval; and

WHEREAS, The State has changed its procedure for allocating tobacco tax funds by projecting allocations for a three-year period of 1991-94 to be disbursed periodically during those three years; and

WHEREAS, The State has projected the following allocations: $948,570 for 1991-92 (changed from $1,063,009); $644,382 for 1992-93; and $534,714 for 1993-94; and

WHEREAS, The State law has been amended to require that at least a third of the health education tobacco tax funds allocated to local health jurisdictions be used for perinatal outreach services; and

WHEREAS, The Department requests the Board to authorize it to accept and expend $2,127,666 which includes the $1,063,009 covered by Resolution No. 68-92; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the Department of Public Health to accept and expend $2,127,666, provided that the Department of Public Health expends the funds consistent with the 1992-94 Comprehensive Tobacco Control Plan and Budget, and the Supplemental Perinatal Plan and Budget; and, be it

FURTHER RESOLVED, That indirect costs in the amount of $127,932 (consisting of $107,402 or 15 percent of total personnel costs including fringe benefits for the Comprehensive Tobacco Control Plan, and $20,530 or 10 percent of salaries for perinatal outreach activities) for the operation of this grant have been included in this grant budget; and, be it

FURTHER RESOLVED, That funds in the amount of $863,831 for contractual services (consisting of $470,444 under the Comprehensive Tobacco Control Plan and $393,387 for the Perinatal Outreach Activities Program) are hereby placed on reserve pending the identification of contracts, and the determination of the MBE, WBE status of the contractors and finalized contract cost details, to be released by the Finance Committee.

(SEE FILE FOR DEPARTMENTAL SIGNATURES)

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
146-92-46

JUL 14 1992
Date Approved

John Gonzalez
Acting Mayor

AS AMENDED IN COMMITTEE - 7/8/92

FILE NO. 148-92-4 RESOLUTION NO. 615-92

(Grant - Federal Funds - $7,257,000)

GJ 7/8/92 AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO ~~APPLY FOR~~, ACCEPT, AND EXPEND FEDERAL FUNDS IN THE AMOUNT OF $7,257,000 FOR THE PAVEMENT RENOVATION OF VARIOUS STREETS AS LISTED IN THIS RESOLUTION; WAIVING INDIRECT COSTS; PLACING $7,257,000 ON RESERVE.

GJ 7/8

WHEREAS, The Board of Supervisors, under Resolution No.865-91 approved the 1991 Five-Year Combined Road Plan; and

WHEREAS, Federal funds under the Surface Transportation Program have been allocated to the City and County of San Francisco; and

WHEREAS, Funds have been appropriated in the budget of the Department of Public Works for the City's share of the cost of resurfacing the following streets:

Polk Street - Fell to Beach Streets.

Harrison Streets - 14th to 23th Streets.

Alemany Boulevard - Congdon St. to Bayshore Blvd.

Pennsylvania Avenue - Mariposa to Army Streets.

Clarendon Avenue - Laguna Honda Blvd. to Twin Peaks Blvd.

Webster Street - Duboce Ave.to McAllister Street.

17th Street - Douglass to Market Streets.

18th Street - Mission to Douglass Streets.

Steuart Street - Market to Mission Streets.

First Street - Folsom to Harrison Streets.

Fourth Street - Market to Townsend Streets.

Brannan Street - 6th to 8th Streets.

Sixth Street - Harrison and Brannan Streets.

Third Street - Bryant to Brannan Streets.

Thirteenth Street - Mission to Harrison Streets.

New Montgomery Street - Market to Howard Streets.

Post Street - Van Ness to Presidio Avenues.

Mission Street - The Embarcadero to Duboce Ave.

WHEREAS, The California Department of Transportation, CALTRANS, who is responsible for the administration of the Surface Transportation Program, has indicated that indirect costs are not grant fundable; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby authorize the Director of Public Works, with the approval of the Chief Administrative Officer, to ~~apply for,~~ accept and expend federal funds for such construction costs and to execute any and all documents necessary therefor.

GJ 7/8

Recommended:

John E. Cribbs
Director of Public Works

Approved:

Chief Administrative Officer

Approved:

Mayor

Approved:

Controller's Grant Division

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FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs; and, be it

FURTHER RESOLVED, That funds in the amount of $7,257,000 are hereby placed on reserve pending the determination of finalized cost details and the MBE and WBE status of the contractors, to be released by the Finance Committee.

Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
148-92-4

JUL 14 1992
Date Approved

Mayor

FILE NO. 152-92-2 RESOLUTION NO. 616-92

[Anti-Drug Abuse Funds]
AUTHORIZING THE SHERIFF OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND FUNDS IN THE AMOUNT OF $84,558, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $4,153 BASED ON 4.9 PERCENT OF THE TOTAL PROJECT COSTS, MADE AVAILABLE THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "SAN FRANCISCO SHERIFF'S DRUG ABATEMENT PROJECT".

WHEREAS, The Sheriff of the City and County of San Francisco desires to undertake a certain project designated San Francisco Sheriff's Drug Abatement Project to be funded in part from funds made available through the Anti-Drug Abuse Act of 1986 for the Anti-Drug Abuse Program administered by the Office of Criminal Justice Planning (hereinafter referred to as OCJP); now, therefore, be it

RESOLVED, That the Sheriff of the City and County of San Francisco is authorized, on its behalf to submit the attached proposal for anti-drug abuse purposes to OCJP and is authorized to execute on behalf of the Board of Supervisors of the City and County of San Francisco the Grant Award for anti-drug abuse purposes, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 152-92-2; and, be it

FURTHER RESOLVED, That the applicant agrees to provide all matching funds required for said project under the Anti-Drug Abuse Program and the rules and regulations of OCJP and that cash will be appropriated as required thereby; and, be it

FURTHER RESOLVED, That in the event the Office of Criminal Justice Planning consents to fund said project, the District Attorney of the City and County of San Francisco is authorized to execute said project, including applications for and acceptance of any extensions or amendments to this grant, that would not increase the matching fund obligations of the City and County of San Francisco pursuant to the grant; and, be it

FURTHER RESOLVED, That it is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That indirect costs (at a rate of 5 percent of the total project cost equal to $4,153) to the City and County of San Francisco for the operation of this grant have been included in this grant budget; and, be it

FURTHER RESOLVED, That the Sheriff of the City and County of San Francisco is authorized to apply for, retroactively, accept and expend funds in the amount of $84,558 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Sheriff's Drug Abatement Project",

(SEE FILE FOR DEPARTMENTAL SIGNATURES)

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
152-92-2

JUL 14 1992
Date Approved

Mayor

7/7/92 - Amendment of the Whole.

FILE NO. 169-92-1 RESOLUTION NO. 617-92

[Street Artist]

REDESIGNATING ONE SELLING SPACE ON GRANT AVENUE, WEST SIDE, GEARY STREET TO MAIDEN LANE, FOR STREET ARTISTS CERTIFIED BY THE ART COMMISSION, CITY AND COUNTY OF SAN FRANCISCO, AND EXEMPTING SAID SPACE FROM THE REGULATION PROHIBITING SELLING ADJACENT TO A YELLOW ZONE; PROVIDING FOR AN ANNUAL REVIEW OF THIS REDESIGNATION BEGINNING IN AUGUST OF 1993, AND DESCRIBING THE PURPOSE OF THE ANNUAL REVIEW.

WHEREAS, The Street Artist Ordinance adopted by the voters on November 4, 1975, authorizes the Board of Supervisors, by resolution, to designate sales areas where any street artist or craftsperson previously certified may sell art or craft items; and

WHEREAS, The Board of Supervisors, by Resolution No. 572-77, previously designated three (3) spaces on Grant Avenue, west side, Geary to Post Streets, as a street artist sales area; and

WHEREAS, Subsequent to the designation by the Board of Supervisors of Grant Avenue, west side, Geary to Post Streets, as a street artist sales area, the curb adjacent to one (1) street artist space in said area nearest to Maiden Lane was designated a yellow zone; and

WHEREAS, The Board of Supervisors finds that use of the one (1) space on Grant Avenue, west side, Geary Street to Maiden Lane, as a street artist space will not be inconsistent with or interfere with the purpose of the adjacent yellow zone at this time; now, therefore, be it

RESOLVED, That the one (1) space on Grant Avenue, west side, Geary Street to Maiden Lane, is redesignated as a legal sales space for street artists certified by the Art Commission of the City and County of San Francisco; and, be it

////

FURTHER RESOLVED, That the one (1) space on Grant Avenue, west side, Geary Street to Maiden Lane, is exempt from the provisions of subsection 2405(c)(8)(2), Ordinance No. 41-83, which prohibits street artists from selling, offering for sale or soliciting offers to purchase on any sidewalk adjacent to a curb which has been designated as a yellow zone; and, be it

FURTHER RESOLVED, That the street artist redesignation shall be reviewed by a committee of the Board of Supervisors on an annual basis beginning in August of 1993; and, be it

FURTHER RESOLVED, That the purpose of the annual review shall be to determine whether or not the use of the one (1) space on Grant Avenue, west side, Geary Street to Maiden Lane, as a street artist space has become inconsistent with or interferes with the purpose of the adjacent yellow zone.

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Kennedy Maher

Absent: Supervisors Achtenberg Alioto Conroy Migden Shelley

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
169-92-1

JUL 14 1992
Date Approved

Jim Gonzalez
Acting Mayor

7/7/92 - Amendment of the Whole.

FILE NO. 169-92-2 RESOLUTION NO. 618-92

[Street Artist]

REDESIGNATING FOR SIX MONTHS TWO SELLING SPACES ON BEACH STREET, NORTHWEST CORNER, AT HYDE STREET, FOR STREET ARTISTS CERTIFIED BY THE ART COMMISSION, CITY AND COUNTY OF SAN FRANCISCO, PURSUANT TO BOARD OF SUPERVISORS RESOLUTION NO. 940-91.

WHEREAS, The Street Artist Ordinance adopted by the voters on November 4, 1975, authorizes the Board of Supervisors, by resolution, to designate sales areas where any street artist or craftsperson previously certified may sell art or craft items; and

WHEREAS, A survey by the Art Commission's Street Artists Program found that in recent years one hundred fifteen street artist selling spaces in the Fisherman's Wharf area had been eliminated due to construction; and

WHEREAS, The Board of Supervisors in Resolution No. 572-77 approved forty-four selling spaces for street artists on Beach Street, north side, Larkin to Hyde Streets; and

WHEREAS, The Board of Supervisors in Resolution No. 940-91 approved two selling spaces for street artists on Beach Street, northwest corner, at Hyde Street, subject to review by a committee of the Board of Supervisors every six months, beginning in May of 1992, and ending in May of 1993; and

WHEREAS, The City Services Committee of the Board of Supervisors has reviewed the two selling spaces and determined that these street artist designations do not endanger the public, result in congested pedestrian traffic in the immediate area, or threaten the continuation of City permits of any other and, especially, any pre-existing permit holders in the immediate area; now, therefore, be it

////

Supervisor Hallinan

BOARD OF SUPERVISORS

RESOLVED, That the Board of Supervisors hereby redesignates for six months the following selling spaces for street artists certified by the Art Commission pursuant to Resolution No. 940-91.

Spaces

2 - Beach Street, northwest corner, at Hyde Street.

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BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Kennedy Maher

Absent: Supervisors Achtenberg Alioto Conroy Migden Shelley

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
169-92-2

JUL 14 1992
Date Approved

Jim Gonzalez
Acting Mayor

FILE NO. 189-92-1 RESOLUTION NO. 619-92

53b

(Backroom Office Space)

URGING THE MAYOR TO REQUEST THE CITY PLANNING COMMISSION TO SURVEY AND IDENTIFY AREAS OF THE CITY THAT WOULD BE APPROPRIATE FOR RECLASSIFICATION TO PERMIT BACKROOM OFFICE SPACE.

RESOLVED, that the Board urges the Mayor to request the City Planning Commission to conduct a survey which identifies areas of the City that should be appropriately reclassified to permit backroom office space, and to prepare and submit a report to the Board upon completion of the survey.

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Britt Conroy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 189-92-1

JUL 14 1992
Date Approved

Jim Gonzalez
Mayor

1085j

FILE NO. 33-92-1 RESOLUTION NO. 620-92

(State Legislative Representative)

RATIFYING THE MAYOR'S APPOINTMENT OF A STATE LEGISLATIVE REPRESENTATIVE FOR THE CITY AND COUNTY.

WHEREAS, Section 16.3 of the San Francisco Administrative Code authorizes the Mayor to appoint a State legislative representative; and

WHEREAS, That appointment is subject to ratification by the Board of Supervisors; and

WHEREAS, The Mayor has appointed Peter M. Finnegan to serve as the State Legislative Representative of the City and County of San Francisco; and

WHEREAS, The Board of Supervisors has considered the credentials and qualifications of Peter M. Finnegan to serve as the City's legislative representative, and

WHEREAS, The Board of Supervisors has heard and received a recommendation from the Mayor that the Board ratify the appointment of Peter M. Finnegan as the City's legislative representative; and

WHEREAS, It appears that Peter M. Finnegan is well qualified to serve as a State legislative representative of the City and County of San Francisco; now therefore, be it

RESOLVED, Pursuant to Section 16.3 of the San Francisco Administrative Code the Board of Supervisors ratifies the appointment of Peter M. Finnegan as the State Legislative Representative of the City and County of San Francisco.

(Mayor's Office)

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco July 13, 1992

Ayes: Supervisors Britt Conroy Hallinan Hsieh Kennedy Maher Shelley

Noes: Supervisor Gonzalez

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 33-92-1

JUL 20 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 93-92-24 RESOLUTION NO. 621-92

RATIFYING WAGE FREEZE MEMORANDUM OF UNDERSTANDING WITH THE SAN FRANCISCO DISTRICT ATTORNEY INVESTIGATORS ASSOCIATION

WHEREAS, The City and County of San Francisco pursuant to State law and provisions of the Employee Relations Ordinance of the City and County has met and confered with the San Francisco District Attorney Investigators Association; and

WHEREAS, Said meeting and conferring by the Mayor's Employee Relations Division has resulted in the reaching of agreement in March, 1992 on various issues within the scope of representation under Government Code Section 3504; and

WHEREAS, In order for said Wage Freeze Memorandum of Understanding to become legally enforceable and binding, it is necessary for the Board of Supervisors to ratify said Wage Freeze Memorandum of Understanding; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby ratify the Wage Freeze Memorandum of Understanding between the City and County and the San Francisco District Attorney Investigators Association, previously entered into by the Mayor's Employee Relations Division on behalf of the City and County of San Francisco, a copy of which is on file in the office of the Board of Supervisors.

Office of the Mayor
(Employee Relations Division)

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco June 29, 1992

Ayes: Supervisors Achtenberg Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Alioto

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
93-92-24

JUL 10 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 1-92-29 RESOLUTION NO. 622-92

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Willie B. Kennedy, member, Board of Supervisors,
July 30 - August 9;
Mary I. Callanan, Treasurer,
July 24 - August 4;
Michael P. Huerta, Executive Director, Port,
July 27 - 30;
Douglas F. Wong, President, Port Commission,
July 11 - 20, 1992.

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
1-92-29

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-13 RESOLUTION NO. 623-92

[Declaring July 23, 1992 as San Francisco Unity Day]

DECLARING JULY 23, 1992 "SAN FRANCISCO DAY OF UNITY: IMPROVING RACE RELATIONS"

WHEREAS, San Francisco is a diverse city, and

WHEREAS, San Francisco is proud of its tradition of tolerance and acceptance, and

WHEREAS, The Human Rights Commission has worked diligently to rid our city of hate crimes, and

WHEREAS, The Board of Supervisors has supported the HRC in its efforts to curtail hate crimes and to promote understanding between races, and

WHEREAS, Worsening economic conditions typically lead to a worsening of race relations, and

WHEREAS, All residents of San Francisco share the responsibility of improving race relations and our understanding of ethnic and cultural minorities, whether newly arrived to our shores or long standing residents, and

WHEREAS, The City of San Francisco condemned the Rodney King beating and the verdict of the Simi Valley jury, and

WHEREAS, The Human Rights Commission, The Board of Supervisors and the Mayor have joined together to hold a city-wide panel discussion on the "Status of Race Relations and Economic Conditions in San Francisco and Our Shared Responsibilities for Improvement," on July 23, 1992, now therefore be it

RESOLVED, That all San Franciscans will share the burden of responsibility of improving race relations, promoting dialogue and lessening tensions, and be it further

RESOLVED, That the City, in recognition of the Panel Discussion, declares July 23rd, 1992 as San Francisco Day of Unity.

SUPERVISOR SHELLEY

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Adopted on date of introduction
Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
4-92-13

JUL 24 1992
Date Approved

Mayor

FILE NO. 6-92-13 RESOLUTION NO. 624-92

[Commendation]
RESOLUTION HONORING MUWEKMA OHLONE TRIBE.

WHEREAS, the Muwekma Ohlone Tribe is the aboriginal Native American Tribe of San Francisco; and

WHEREAS, the Muwekma Ohlone people, who were taken away from their aboriginal land and were one thought extinct, have retained their cultural and social identity for the past five hundred years; and

WHEREAS, the Board of Supervisors strongly supports all Native American aboriginal groups, especially in this Year of the Quincentennial Celebration, in their attempts to be self-sufficient and to be recognized and acknowledged;

NOW, THEREFORE BE IT RESOLVED, that the San Francisco Board of Supervisors does hereby commend and support the Muwekma Ohlone Tribe and other California tribes and bands in their efforts to obtain recognition at the Federal level and by the United States Congress.

SUPERVISORS GONZALEZ, KENNEDY, Alioto 07/20/92

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board Of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 6-92-13

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 12-92-34 RESOLUTION NO. 625-92

OPPOSING SENATE BILL 1757 WHICH INCREASES THE SHOWING NECESSARY FOR PUBLIC AGENCIES TO TAKE BY EMINENT DOMAIN PRIVATELY OWNED PROPERTY WHICH IS USED FOR PROVIDING PUBLIC UTILITIES

WHEREAS, By repealing current law providing that a conclusive presumption that the taking of privately-owned public utility property by a public agency is a "more public use," SB 1757 (Morgan) would undermine the concept of public condemnation of privately-owned public utilities; and

WHEREAS, By allowing public utilities to challenge in court the basic necessity of the acquisition of utility property by public agencies, SB 1757 would make a fundamental change in law that has long held that the public interest is better served whenever basic utility service can be provided by public utilities ; and

WHEREAS, Current laws sufficiently protect the ownership of well-run private utilities; and

WHEREAS, SB 1757 would limit the ability of government agencies to provide for the taking of utilities where needed to insure their efficient management and lower costs to consumers; and

WHEREAS, SB 1757 would make it more difficult for municipal governments to negotiate franchise fees with investor owned utilities; and

WHEREAS, SB 1757 would make it far more expensive and litigious to acquire privately-owned land to provide utility services; Now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco opposes SB 1757; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is directed to provide copies of this Resolution to the members of the San Francisco delegation to the California Legislature, and to Assemblymembers Isenberg and Farr.

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Migden 2530w

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Adopted on date of introduction
Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
12-92-34

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 12-92-35 RESOLUTION NO. 626-92

[AB 3087 -- Support]

SUPPORTING AB 3087 (SPEIER), A STATE LEGISLATIVE MEASURE RELATING TO THE IMPROVEMENT OF CHILDREN'S HEALTH AND SAFETY AND PROVIDES A NEW FUNDING MECHANISM FOR CHILD CARE LICENSING ACTIVITIES AND CHILDREN'S SERVICES.

WHEREAS, California has over 48,000 licensed family care homes and over 10,000 licensed child care centers daily caring for nearly 600,000 young children; and

WHEREAS, Each year in California, over 490 children are killed in drowning accidents, over 1,180 are killed in traffic accidents, over 130 are killed in bicycle accidents, and over 100 are killed in child abuse; and

WHEREAS, The focus of AB 3087 (Speier) is to improve the health and safety of California's children by providing enhanced child care quality assurance reforms and creating a new funding source to help pay for child health and safety prevention programs; and

WHEREAS, AB 3087 would create new funds by establishing a new automobile license plate program to be known as the "Kids Plate" program;

WHEREAS, The "Kids Plate" program would use specialized characters on license plates with a percentage of the money paid for the plates going to child care licensing activities that are

/ / /

currently unfunded or insufficiently funded and to a new "Child Health and Safety Fund"; and ,

WHEREAS, The Child Health and Safety Fund proposed by AB 3087 would be used in child abuse prevention, fire safety, poison control, and other specified uses; and

WHEREAS, AB 3087 sets forth a number of improvements in the administration of child care licensing that facilitates enhanced expertise by administrators specializing in child care issues, and enhanced accountability for the legislature, administration, and the public; now, therefore, be it

RESOLVED, The San Francisco Board of Supervisors supports AB 3087 (Speier) a state legislative measure relating to the improvement of children's health and safety and provides a new funding mechanism for child care licensing activities and children's services; and, be it

FURTHER RESOLVED, The Board of Supervisors requests the Mayor to forward copies of this Resolution to Assemblywoman Speier, Members of the San Francisco State Legislative Delegation, and the City's State Lobbyist with a request that they take appropriate action.

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Adopted on date of introduction
Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
12-92-35

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 174-92-1.2 RESOLUTION NO. 627-92

[Ballpark Advisory Committee Report]

AMENDING RESOLUTION NO. 336-91, WHICH CREATED A BALLPARK ADVISORY COMMITTEE TO SOLICIT AND REVIEW PROPOSALS FOR THE PURPOSE OF RETAINING THE SAN FRANCISCO GIANTS BASEBALL TEAM IN SAN FRANCISCO, BY EXTENDING TO SEPTEMBER 30, 1992, THE TIME BY WHICH THE COMMITTEE SHALL REPORT ITS FINDINGS TO THE BOARD OF SUPERVISORS.

WHEREAS, By Resolution No. 336-91 the Board of Supervisors created a Ballpark Advisory Committee to solicit and review proposals for the purpose of retaining the San Francisco Giants Baseball team in San Francisco; and

WHEREAS, This Resolution required the Committee to report its findings to the Board of Supervisors within six months from the date of the Committee's first meeting; and

WHEREAS, The Committee will soon complete its findings and report back to the Board of Supervisors its findings, but the Committee does need additional time to fully complete its duties; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco amends Resolution No. 336-91 by extending to September 30, 1992, the date by which the Ballpark Advisory Committee shall report its findings to the Board of Supervisors; and, be it

/ / /

/ / /

FURTHER RESOLVED, That the Board of Supervisors makes no additional amendments to Resolution No. 336-91, and the remaining parts of the Resolution shall remain in full force and effect.

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oc

Adopted on date of introduction
Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

File No.
174-92-1.2

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 13-92-12 RESOLUTION NO. 628-92

[Youth Employment Program - Federal Funding]

MEMORIALIZING CONGRESSWOMAN NANCY PELOSI TO SEEK ON BEHALF OF THE CITY AND COUNTY OF SAN FRANCISCO FEDERAL FUNDING TO GUARANTEE THE CONTINUATION AND SUCCESS OF THE CITY'S YOUTH EMPLOYMENT PROGRAM.

WHEREAS, Following the recent civil unrest in Los Angeles, rival gangs there reached a truce; and

WHEREAS, Likewise, neighborhood gangs from the Western Addition, Hunters Point and the Mission District have agreed to a truce in order to stop violence and work toward common goals of economic and social opportunity and equality; and

WHEREAS, This truce provides the citizens of San Francisco and their government with a once-in-a-decade opportunity to reach out to these young people and assist them in achieving their goals and contributing their skills and energy to their neighborhoods and to the citizens of the entire City; and

WHEREAS, What these young people really need are jobs that provide a reliable income, useful training and opportunities for advancement; and

WHEREAS, The unemployment rates for Hispanic and African-American youth continue to rise, despite generally rising educational and skill levels; and

WHEREAS, For example, in 1990, 31 percent of all black teenagers in California were unemployed (up from 26 percent in 1980), 21 percent of Hispanic teehagers (up from 16 percent), and 15 percent of white teenagers were unemployed (up from 13

percent), and 6.6 percent of all adults in California were unemployed (up from 6.4 percent); and

WHEREAS, The unwillingness of society to invest in disadvantaged young people results in high unemployment rates, discouragement, a disinvestment in society, and frustration, and the costs of the unwillingness to invest results in incalculable discouragement, suffering and violence throughout, in particular, the African-American, Hispanic and other disadvantaged communities, as well as throughout the entire City of San Francisco; and

WHEREAS, The City and County of San Francisco must develop sources of funds that could be utilized in assisting in the hiring and training of Hispanic, African-American and other disadvantaged youth on a year-round basis; and

WHEREAS, An investment of money in minority and disadvantaged youth employment programs can benefit the economy and spirits of the minority and disadvantaged communities and the City as a whole; and

WHEREAS, The Board of Supervisors wishes to assist the African-American, Hispanic and disadvantaged youths of this City in being active and equal participants in the community; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco memorializes Congresswoman Nancy Pelosi to seek on behalf of the City and County of San Francisco federal

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funding to guarantee the continuation and success of the City's Youth Employment Program; and, be it

FURTHER RESOLVED, That the Board of Supervisors requests the Clerk of the Board to transmit a copy of this Resolution to Congresswoman Nancy Pelosi.

Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
13-92-12

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 13-92-13 RESOLUTION NO. 629-92

[Jobs]

URGING SAN FRANCISCO'S CONGRESSIONAL DELEGATION TO OPPOSE AGREEMENTS OR ADMINISTRATIVE ACTIONS THAT WOULD UNDERMINE JOBS, HEALTH AND SAFETY IN THE UNITED STATES.

WHEREAS, State and local governments play an important role in protecting public safety and health and the rights of workers; and

WHEREAS, The City and County of San Francisco has always been viewed as a model for fair and equal treatment of all its workers; and

WHEREAS, Agreements must respect that role; and

WHEREAS, Mexico is an important trading partner with whom we have close economic and cultural ties; and

WHEREAS, Expanded U.S.- Mexico trade could be used to increase jobs and improve living standards in both countries; and

WHEREAS, Agreements between our two countries must take into account the major differences in wage and benifit levels and environmental, consumer protection and public safety practices; and

WHEREAS, Lower wage levels in Mexico mean that a substantial percentage of Mexican citizens cannot purchase significant amounts of good and services from the U.S.; and

WHEREAS, The Bush administration is negotiating a "free trade" agreement with Mexico; and

WHEREAS, The Bush administration has already made an agreement with Mexico to preempt the right of California and other states to require their own licenses for commercial drivers from Mexico; now, therefore, be it

RESOLVED, That the City and County of San Francisco urges San Francisco's Congressional Delegation to oppose any agreements or administrative actions that would undermine jobs, health and safety in the United States; and be it further

RESOLVED, That agreements should not preempt state and local laws; and, be it further

RESOLVED, That agreements with Mexico should include specific measures to insure that U.S. standards will not be brought down; and, be it

FURTHER RESOLVED, That the City and County of San Francisco designates September 4th as a Special Day of Recognition of fair trade and urges participation in this year's Labor Day Activities.

SUPERVISOR SHELLEY

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Migden Shelley

Absent: Supervisor Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
13-92-13

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 25-92-24 RESOLUTION NO. 630-92

CC

CONCURRING WITH THE CONTROLLER'S CERTIFICATION THAT PARKING METER REVENUE COLLECTION CAN BE PRACTICALLY PERFORMED BY PRIVATE CONTRACTOR FOR LOWER COST THAN SIMILAR WORK SERVICES PERFORMED BY CITY AND COUNTY EMPLOYEES.

WHEREAS, the electorate of the City and County of San Francisco passed Proposition "J" in November, 1976 adding Section 8.330-1 to the Charter allowing City Departments to contract with private companies for specific services which can be practically performed for a lower cost than similar work by City and County employees; and

WHEREAS, the Department of Parking and Traffic has sought and received a formal bid from a San Francisco revenue collection firm and wishes to contract for coin collection services; and

WHEREAS, the Controller has certified on March 31, 1992 that said services can be performed at lower cost to the City and County than by employees of the City and County; now, therefore be it

RESOLVED, that this Board of Supervisors hereby concurs with the Controller's certification and approves that the Department of Parking and Traffic may contract for revenue collection services for fiscal year 1992-1993.

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 25-92-24

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 28-92-8 RESOLUTION NO. 631-92

CC

AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS TO TAKE NECESSARY MEASURES TO PROTECT THE HEALTH, WELFARE AND PROPERTY OF THE CITIZENS OF SAN FRANCISCO BY PERFORMING THE NECESSARY WORK TO CLEAN THE SEWER IN FIFTH STREET BETWEEN FOLSOM STREET AND BRYANT STREET.

WHEREAS, The six-foot sewers in Fifth Street Between Folsom Street and Bryant Street are plugged with an estimated 400 cubic yards of material, causing sewage back-ups in the area; and

WHEREAS, The Department of Public Works has been unable to remove said material with it's own equipment, now therefore be it...

RESOLVED, In accordance with the provisions of Section 6.30 of the Administrative Code of the City and County of San Francisco, the Board of Supervisors hereby finds and declares the existence of an emergency and authorizes the Director of Public Works to proceed in the most expeditious manner to perform the necessary work to clean the sewers in Fifth Street between Folsom Street and Bryant Street.

The cost of the work is estimated at $75,000. Funds are available from the Sewer Service Charge.

RECOMMENDED:

Director of Public Works

APPROVED:

Chief Administrative Officer

Director
Departmeht of Public Works
Room 260, City Hall

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 28-92-8

JUL 24 1992

Date Approved

Mayor

AS AMENDED IN COMMITTEE - 7/15/92

FILE NO. 28-92-9 RESOLUTION NO. 632-92

AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS TO TAKE NECESSARY MEASURES TO PROTECT THE HEALTH, WELFARE AND PROPERTY OF THE CITIZENS OF SAN FRANCISCO BY PERFORMING THE NECESSARY WORK TO REPLACE THE FAILING SEWER IN STOCKTON STREET BETWEEN BROADWAY AND PACIFIC AVENUE.

WHEREAS, The 3'x5' brick sewer in Stockton Street between Broadway and Pacific Avenue is structurally failing, causing a depression in the street, and is in danger of collapse; and,

WHEREAS, Approximately 350 feet of the sewer must be replaced with 15-inch diameter VCP sewer pipe; and therefore be it...

RESOLVED, In accordance with the provisions of Section 6.30 of the Administrative Code of the City and County of San Francisco, the Board of Supervisors hereby finds and declares the existence of an emergency and authorizes the Director of Public Works to proceed in the most expeditious manner to perform the necessary work to replace the brick sewer in Stockton Street between Broadway and Pacific Avenue.

GJ 7/15 The cost of the work is estimated at ~~$74,940.~~ $107,034. Funds are available from the Repair and Replacement Maintenance Fund.

RECOMMENDED:

Director of Public Works

APPROVED:

Chief Administrative Officer

Director
Department of Public Works
Room 260, City Hall

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 28-92-9

JUL 24 1992

Date Approved

Mayor

FILE NO. 30-92-7 RESOLUTION NO. 633-92

CC

APPROVING THE SAN FRANCISCO CITY AND COUNTY PERFORMANCE CONTRACT FOR MENTAL HEALTH SERVICES IN FISCAL YEAR 1991-92.

RESOLVED, that the San Francisco City and County Performance Contract for Mental Health Services for Fiscal Year 1991-92, prepared by the San Francisco Department of Public Health and fully set forth in File No. 30-92-7 of this Board of Supervisors, be approved and hereby submitted to the State Department of Mental Health; and that Florence Stroud, MN, MPH be authorized to sign said contract.

RECOMMENDED:

Raymond Baxter, Ph.D.

APPROVED:

Sandy Ouye Mori
Health Commission

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
30-92-7

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 40-92-5 RESOLUTION NO. 634-92

(PARKING OF VEHICLES)

EXTENDING BOUNDARIES OF RESIDENTIAL PERMIT PARKING AREA "U" IN THE SOUTH OF MARKET AREA AND ADDING TO THE LIST OF STREETS UPON WHICH TIME LIMITATIONS SHALL APPLY.

WHEREAS, This Board of Supervisors by Resolution No. 495-90 established Residential Permit Parking Area "U; and

WHEREAS, Residential Permit Parking Area "U" was implemented on October 1, 1990; and

WHEREAS, Residents of more than 50 percent of the dwelling units of the areas defined herein have petitioned to be included within Residential Permit Parking Area "U"; and

WHEREAS, The public hearings held on February 21 and April 10, 1992, indicated that there were no opposition to said inclusions; now, therefore, be it

RESOLVED, That the boundaries of Residential Permit Parking Area "U" shall be revised so as to include the following areas:

1. Commencing at the point where the centerline of 7th Street intersects the centerline of Folsom Street; thence westerly along the centerline of Folsom Street to the extended west lot line of Lot 101 of Block 3755; thence southerly along the extended west lot line of Lot 101 to the south lot line of Lot 101; thence westerly along the south lot line of Lots 100 and 99 to the east lot line of Lot 96; thence southerly along the east lot line of Lots 96, 95, 94, 93, 92, 91, 90, 89 and 23 to the south lot line of Lot 113; thence easterly along the south lot line of Lot 113 to the west lot line of Lot 21; thence southerly along the west lot line of Lot 21 to the centerline of Harrison Street; thence easterly along the centerline of Harrison Street to the extended east lot line of Lot 19; thence northerly along the extended east lot line of Lot 19 to the south lot line of Lot 14; thence easterly along the south lot line of Lot 14 to the east lot line of Lot 14; thence northerly along the east lot line of Lots 14 and 13 to the north lot line of Lot 13; thence westerly along the north lot line of Lot 13 to the west lot line of Lot 12; thence northerly along the west lot line of Lots 12 and 10 to the north lot line of Lot 10; thence northerly along the west lot line of Lots 12 and 10 to the north lot line of 10; thence easterly along the north lot line of Lot 10 to the east lot line of Lot 10; thence northerly along the east lot line of Lot 130 to the south lot line of Lot 5; thence westerly along the south lot line of Lot 5 to the west lot line of Lot 5; thence northerly along the west lot line of Lots 5, 4, 3 and 132 to the south lot line of Lot 131; thence easterly along the south lot line of Lot 131 of Block 3755 to the centerline of 7th Street; thence northerly along the centerline of 7th Street to the point of commencement.

2. Commencing at the point where the centerline of 9th Street intersects the centerline of Folsom Street; thence westerly along the centerline of Folsom Street to the extended west lot line of Lot 53 of Block 3519; thence southerly along the extended west lot line of Lot 53 to the south lot line of Lot 52; thence westerly along the south lot line of Lot 52 to the east lot line of Lot 51; thence northerly along the east lot line of Lot 51 to the north lot line of Lot 51; thence westerly along the north lot line of Lot 51

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to the west lot line of Lot 51; thence southerly along the west lot line of Lots 51, 54, 56, 57 and 58 to the south lot line of Lot 58; thence easterly along the north lot line of Lots 37, 36, 35A, 35, 34, 33, 32, 31 and 30 to the east lot line of Lot 59; thence northerly along the east lot line of Lots 59 and 60 to the south lot line of Lot 3; thence easterly along the south lot line of Lot 3 of Block 3519 to the centerline of 9th Street; thence northerly along the centerline of 9th Street to the point of Commencement.

3. Commencing at the point where the centerline of Folsom Street intersects the centerline of Mabini Street; thence southerly along the centerline of Mabini Street to the extended south lot line of Lot 105 of Block 3751; thence westerly along the extended south lot line of Lot 105 to the east lot line of Lot 165; thence southerly along the east lot line of Lots 165, 78, 77, 164 and 163 to the north lot line of Lot 163; thence easterly along the north lot line of Lots 163, 161, 162, 153, 150, 53, 29 and 54 to the centerline of Lapu-Lapu Street; thence northerly along the centerline of Lapu-Lapu Street to the extended south lot line of Lot 166; thence easterly along the extended south lot line of Lot 166 to the east lot line of Lot 166; thence northerly along the east lot line of Lot 166 to the south lot line of Lot 166; thence easterly along the south lot line of Lot 166 to the east lot line of Lot 166; thence northerly along the east lot line of Lot 166 of Block 3751 to the centerline of Folsom Street; thence westerly along the centerline of Folsom Street to the point of commencement; and be it

FURTHER RESOLVED, That the list of streets in Resolution No. 495-90 upon which time limitations shall apply be revised to include the following:

Bonifacio Street, between Lapu-Lapu and Tandang Sora Streets, south side;

Dore Street, between Folsom Street and the south terminus, west side;

Langton Street, between Folsom and Harrison Streets, west side;

Lapu-Lapu Street, between Bonifacio and Rizal Streets, both sides;

Mabini Street, between Bonifacio and Folsom Streets, east side;

Rizal Street, between Lapu-Lapu and Tandang Sora Streets, north side;

Tandang Sora Street, between Bonifacio and Rizal Streets, both sides; and be it

FURTHER RESOLVED, That except as specifically provided herein, all the provisions of Resolution No. 495-90 shall apply.

Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
40-92-5

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 47-92-4.1 RESOLUTION NO. 635-92

(Parking Rate Change)

APPROVING HOTEL PARKING RATES AND REQUESTING THE PARKING AND TRAFFIC COMMISSION CONSIDER AND INITIATE AN OPEN BIDDING PROCESS LEADING TO THE AWARDING OF SUB-CONCESSIONAIRE AGREEMENTS FOR HOTEL PARKING AT THE SUTTER/STOCKTON AND UNION SQUARE GARAGES.

WHEREAS, The City and County of San Francisco's Fiscal Year 92-93 budget includes a need to increase revenues generated to the City; now, therefore be it

RESOLVED, That the Board of Supervisors requests that the Parking and Traffic Commission consider and initiate, as soon as possible, an open bidding process leading to the award of sub-concessionaire agreements for Hotel Parking at the Sutter/Stockton and Union Square Garages, should such agreements prove to be financially beneficial to the City and County of San Francisco, and be it further

RESOLVED, That the Board of Supervisors approve the following initial hotel parking fees until such time as the hotel parking bidding process and award is completed:

GARAGE: SUTTER/STOCKTON	CURRENT	PROPOSED
HOTEL PARKING		$ 7.75

GARAGE: UNION SQUARE	CURRENT	PROPOSED
HOTEL PARKING		$10.00

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Maher Migden Shelley

Noes: Supervisors Hsieh Kennedy

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 47-92-4.1

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 52-92-4 RESOLUTION NO. 636-92

(AUTHORIZATION TO EXPEND PRIVATE FUNDS)

AUTHORIZE DEPARTMENT OF PUBLIC WORKS TO ACCEPT MONETARY COMPENSATION FROM PROPERTY OWNERS FOR THE HIGHER COST OF PROCURING AND INSTALLING SPECIAL ORNAMENTAL STREETLIGHT POLES IN UPPER ASHBURY UNDERGROUNDING DISTRICT 309, PHASE 2C.

WHEREAS, Upper Ashbury Undergrounding District 309, Phase 2C has been legislated and funded by the Board of Supervisors for undergrounding overhead wires and utility facilities; and

WHEREAS, Owners of properties within said undergrounding district, have petitioned to the City to install 15-foot ornamental streetlight poles instead of standard 30-foot poles for aesthetic reasons; and

WHEREAS, The aforesaid proposal has been reviewed, studied, and considered by the Department of Public Works and the Public Utilities Commission; and several meetings were held with the property owners to discuss the merit of their proposal as well as the City's concerns; and

WHEREAS, It was agreed by all parties that said proposal would not be in conflict with any established local or State policies, rules, regulations, or codes; and

WHEREAS, The property owners agreed to compensate the City for the higher cost of the more expensive 15-foot ornamental streetlight poles; and

WHEREAS, The streetlight contract for said undergrounding district was subsequently advertised, and bids opened on May 6, 1992; and

WHEREAS, Based on the low bid, the difference in cost between the 15-foot ornamental pole and the standard 30-foot pole is $647 per pole, the former being more expensive; and

WHEREAS, There are 8 poles in question, and the total cost of which exceeding the cost of the same number of standard poles is $5,176; and

WHEREAS, Representatives of the property owners involved have presented to City two (2) casher's checks in the total amount of $5,176; now therefore, be it

RESOLVED, That this Board of Supervisors hereby authorizes the Department of Public Works to accept on behalf of the City the aforementioned monetary compensation from property owners for the higher cost of procuring and installing 8 special ornamental streetlight poles in said undergrounding district; and be it

FURTHER RESOLVED, That granting of such an authorization is not intended as a standard practice, but on a continued trial basis within the same undergrounding district.

RECOMMENDED:

Director of Public Works

DESCRIPTION APPROVED:

City Engineer

APPROVED:

Chief Administrative Officer

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh
Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
52-92-4

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 61-92-6 RESOLUTION NO. 637-92

(Extending duration and increasing contract cost)

RESOLUTION APPROVING CONTRACT MODIFICATION NO. 2 TO WATER DEPARTMENT CONTRACT WD-2088, REPAVING OF STREET AND SIDEWALK OPENINGS FOR THE SAN FRANCISCO WATER DEPARTMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1992.

WHEREAS, Due to impacts of the recent early retirement program of the City and personnel shortages resulting therefrom, and the implementation of the recently enacted Ordinance 76-92, the Public Utilities Commission has been delayed in the preparation and processing of the San Francisco Water Department's annual as-needed construction contract for Repaving of Street and Sidewalk Openings for the San Francisco Water Department for the Fiscal Year Ending June 30, 1993, and

WHEREAS, The PUC currently has a contract for Repaving of Street and Sidewalk Openings for Fiscal Year ending June 30, 1992, which has been modified to extend the completion date to October 1, 1992, and to increase the maximum contract amount by 9.5% of the original contract amount, and has approved a Resolution approving Amendment No. 2 to the contract which further increases the maximum amount of Contract by an additional $367,278. ~~$370,000.00,~~ which total amount of change for both contract amendments of $497,457.23 is 37% of the original contract amount, to provide for necessary paving services until the annual paving contract for the Fiscal Year ending June 30, 1993 can be certified, which is estimated to be October 1, 1992, and

WHEREAS, under Section 6.6 of the San Francisco Administrative Code, the approval of the Board is required for Amendment No. 2, now, therefore, be it

[Public Utilities Commission] (LN9.93)

BOARD OF SUPERVISORS

RESOLVED, That Amendment No. 2 to the San Francisco Water Department Contract WD-2088 increasing the maximum amount of the Contract by $367,278.00. ~~$370,000.00~~ to a revised maximum amount of $1,836,390.23 ~~$1,839,112.23~~ is approved.

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BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh
Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

JUL 24 1992

File No.
61-92-6

Date Approved

Mayor

FILE NO. 64-92-22 RESOLUTION NO. 638-92

RO #92029

[Lease of Property]

AUTHORIZING LEASE OF REAL PROPERTY AT 233 POST STREET FOR THE FINE ARTS MUSEUM.

RESOLVED, In accordance with the recommendation of the Director of the Fine Arts Museum, the Director of Public Works and the Director of Property, that the Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, Lessee, be and they are hereby authorized to execute a written lease with Jay D. McEvoy, et al, Lessor, for a portion of the third floor and all of the fifth and sixth floor premises at 233 Post Street, San Francisco, California, which comprises an approximate area of 8,000 square feet, for offices for the Fine Arts Museum.

The lease shall commence on August 1, 1992 or as soon thereafter as alterations are completed by Lessor and accepted by City and end on July 31, 1995, at a rental of $8,000 per month. It is further understood that City shall occupy said premises for the lease term expiring July 31, 1995 unless funds for rental payments are not appropriated in any subsequent fiscal year, at which time City may terminate this lease with ninety (90) days prior written notice to Lessor. City has the right to assign the lease to the Corporation for Fine Arts Museum.

City shall at its sole cost and expense, defend, indemnify and hold harmless Lessor from and against any and all claims arising from (i) City's use and possession of the premises or the conduct of its business therein, (ii) any act or omission done, permitted or suffered by City, its employees,

agents or servants, in or about the premises, or (iii) any breach or default in the performance of any obligation of City under the terms of this lease, which indemnity shall include reasonable court costs and attorneys' fees; provided, that, City shall not be obligated to indemnify or hold harmless Lessor to the extent any claim arises out of the willful, reckless or negligent act or omission of, or breach of any provision of this lease by Lessor, its agents, officers, servants, employees or contractors. In any action or proceeding brought against Lessor by reason of any claim indemnified hereunder, City may, at its sole option, elect to defend said claim by attorneys regularly employed by City, by other attorneys selected by City, or by both. City shall have the right to control the defense and to determine the settlement or compromise of any action or proceeding, provided, however, that (i) Lessor shall have the right, at its sole cost, but not the obligation, to participate in the defense of any such claim, (ii) Lessor shall not be required to contribute toward a settlement or compromise without its prior written consent, and (iii) Lessor shall not be required to join as a party to any settlement or compromise if it should determine, in its sole discretion, that such joinder as a party would be

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disadvantageous to it. The provisions of this paragraph shall survive the termination of this lease with respect to any damage, injury or death occurring prior to such termination.

RECOMMENDED:

Director of the Fine Arts Museum

Director of Public Works

Director of Property

$88,000 Available
Appropriation No.
05-613-61-00-00 1460 401265
160 01

Controller

JUL 01 1992

C:\WP51\DATA\6FAM1387.LBO

(Real Estate)

cc

Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 64-92-22

JUL 24 1992

Date Approved

Mayor

FILE NO. 94-92-3 RESOLUTION NO. 639-92

(GRANT-STATE FUNDS)

RESOLUTION AUTHORIZING THE PUBLIC UTILITIES COMMISSION TO APPLY FOR, ACCEPT, AND EXPEND $28,814,387 FROM 1991-92 STATE PROPOSITION 116 CLEAN AIR AND TRANSPORTATION IMPROVEMENT ACT FUNDS AND ~~$28,814,387~~ $3,884,743 FROM LOCAL MATCH FUNDS TO PROVIDE FINANCING INCLUDING ~~$1,640,169~~ $1,904,354 OF ESTIMATED INDIRECT COSTS FOR NINE MUNICIPAL RAILWAY CAPITAL PROJECTS, PLACING $17,152,101 ON RESERVE.

GJ 7/15

WHEREAS, The state constitution, pursuant to the Clean Air and Transportation Improvement Act of 1990 (Proposition 116) makes transit capital funding available through the Transportation Planning and Development Account and;

WHEREAS, The Governor and the Legislature may make additional funding available, using the resources from the Petroleum Violation Escrow Account and/or Kopp-Katz-Baker Transportation Blueprint for the twenty-first Century (proposition 111); and

WHEREAS, The proposed applications include the following projects and 91/92 amounts requested from the state from proposition 116 funds:

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1) Articulated Trolley Coach Replacement	$ 2,354,743
2) Muni Metro Turnback	11,682,282
3) Potrero Division Rehabilitation	1,530,000
4) Geneva/Green Capacity Modification	3,000,000
5) Miscellaneous Rail Maintenance and Repair Equipment acquisition	1,500,000
6) Subway Signal System Replacement	6,247,362
7) Muni Metro Extension to Sixth Street	1,500,000
8) F-MARKET/EMBARCADERO PCC streetcar Rehabilitation	500,000
9) Rail Replacement	500,000
TOTAL	$28,814,387

WHEREAS, Estimated costs of these projects includes:

1) In-house Project Engineer/CM	$2,802,392
2) Professional Services	2,041,448
3) Construction	18,628,847
4) Equipment Purchase	3,276,532
5) Equipment Rehab	425,000
6) Indirect Costs	1,640,169
TOTAL	$28,814,387

WHEREAS, These projects all ranked high in the Municipal Railway Short Range Transit Plan and Capital Improvement Program, and the Regional and State Transportation Improvement Programs; and

WHEREAS, All of the projects address serious transportation problems in San Francisco's transit system and are ready for funding in the next fiscal year; and

WHEREAS, The Metropolitan Transportation Commission provides local match funds from Bridge Toll Net Revenues and State Transit Assistance funds to high priority projects in the regional transit capital plan; and

WHEREAS, The Board of Supervisors provides local match funds from the Transit Impact Development Fees and/or Hetch Hetchy funds to high priority projects in the Muni capital improvement program; and

WHEREAS, The San Francisco Municipal Railway Improvement Corporation provides local matching funds from the Corporation's resources to high priority projects in the MUNI capital improvement program; and

WHEREAS, The Transportation Authority provides local match funds from the Transportation Sales Tax Revenues to high priority projects in the Muni capital improvement program; and

WHEREAS, Proposition 116 requires applicants for funds to provide specific resolutions from the applicant's governing board, and that the award of funds is subject to such certifications by the applicants' governing board, and the Public Utilities Commission has met all the above certification requirements for application for Proposition 116 funds, now, THEREFORE, be it

RESOLVED, That the Public Utilities Commission is hereby authorized to apply for, accept, and expend $28,814,387 from 1991-92 State Clean Air and Transportation Improvement Act, Proposition 116 funds and ~~$20,814,387~~ $3,884,743 from regional and local matching funds such as State Transit Assistance funds, Bridge Toll Net Revenues, Regional Measure One Bridge toll Revenues, and/or Bay Area Rapid Transit District funds, Hetch Hetchy funds, Transit Impact Development Fees, Transportation Sales Tax Revenues, and/or the San Francisco Municipal Railway Improvement Corporation funds, for the above listed Municipal Railway projects to provide financing including $1,904,354 of estimated indirect costs for nine Municipal Railway capital projects; and be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to furnish whatever additional information that might be requested by the funding agencies in connection with this grant request; and be it

FURTHER RESOLVED, That the Public Utilities Commission met all Proposition 116 application requirements for governing board certification; and

FURTHER RESOLVED, That the Public Utilities Commission is authorized to execute fund transfer agreements with the State of California Department of Transportation to accept these funds; and be it

FURTHER RESOLVED, That funds in the amount of $17,152,101 are hereby placed on reserve ($353,212 for professional services; $12,795,825 for construction, and $4,003,064 for equipment purchase), pending the determination of the MBE/WBE status of contractors and finalization of contract cost details, to be released by the Finance Committee.

Recommended:
Frank Jordan
Mayor

Teresa Serata

John W Lundstrom
Controller

Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
94-92-3

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE - 7/15/92

FILE NO. 94-92-4 RESOLUTION NO. 640-92

(Grant Regional Funds)

AUTHORIZING THE PUBLIC UTILITIES COMMISSION TO APPLY FOR AND ACCEPT $3.1 MILLION OF BRIDGE TOLL FUNDS FOR SFMRIC LEASE PAYMENTS AND ~~$51.5~~ $51.6 MILLION OF REGIONAL FUNDS SUCH AS FEDERAL TRANSIT ADMINISTRATION SECTION 8 AND SECTION 9 OPERATING REVENUES, TRANSPORTATION DEVELOPMENT ACT (TDA), STATE TRANSIT ASSISTANCE (STA), AB 1107 HALF-CENT SALES TAX, AND BAY AREA RAPID TRANSIT DISTRICT FUNDS FOR 1992-93 MUNICIPAL RAILWAY OPERATIONS AND AUTHORIZING THE EXPENDITURE OF THE SECTION 8 PLANNING FUNDS.

WHEREAS, The City and County of San Francisco Public Utilities Commission requests $3.1 million of Bridge Toll revenues, and ~~$51.5~~ $51.6 of regional funds to finance the 1992-93 operations and capital improvements of the Municipal Railway; and

WHEREAS, The City and County of San Francisco Public Utilities Commission proposes to claim TDA Article 3 monies, TDA Article 4 monies, TDA Article 4.5 monies, STA monies, and AB 1107 half-cent sales tax revenues for FY 1992-93; and

WHEREAS, The City and County of San Francisco is an eligible claimant for BART half-cent sales tax revenues and Transportation Development Act funds pursuant to provisions of the California Public Utilities Commission Code Sections 29142.4 and 99260 et. seq., respectively; and

WHEREAS, the San Francisco Public Utilities Commission is an eligible claimant for Federal Transit Administration Section 8 Planning funds and Section 9 Operating Assistance funds allocated by the Metropolitan Transportation Commission; and

EG:lsm/6041G

WHEREAS, The actual distribution of 1992-93 transit operating assistance to Alameda Contra Costa Transit (AC Transit), Bay Area Rapid Transit (BART) District, and the Municipal Railway is subject to the recommendations of the AB 842 Transit Finance Policy Committee; and

WHEREAS, The San Francisco Public Utilities Commission has met the Metropolitan Transportation Commission (MTC) requirements for fund eligibility, including participation in the Transit Operating Coordinating Council (TOCC) and the maintenance of fare levels sufficient to comply with requirements of AB 1107 in the year for which sales tax funds are requested; and

WHEREAS, As part of the allocation of AB 1107 funds for the 1992-93 fiscal year, the BART District committed to reimburse the Municipal Railway the calculated value of "feeder" trips made on Muni to and from BART; and

WHEREAS, Except for $64,000 from the Section 8 planning grant, these reimbursements are included in the 1992-93 Muni operating budget revenues; and

WHEREAS, Indirect cost is not included in the grant because the total amount of funds requested will be used for Municipal Railway operations and capital improvements; now, THEREFORE, be it

RESOLVED, That the Public Utilities Commission is authorized to apply for and accept $3.1 million of Bridge Toll funds for SFMRIC lease payments and ~~$51.5~~ $51.6 million of regional funds such as FTA Section 8 and Section 9 revenues, Transportation Development Act (TDA), State Transit Assistance (STA), AB 1107 half-cent sales tax revenues, and BART District payments for 1992-93 Municipal Railway operations, and to expend $64,000 from the Section 8 planning grant; and be it further

BOARD OF SUPERVISORS
EG:lsm/6041G

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RESOLVED, That the Public Utilities Commission is authorized to furnish whatever additional information might be requested by the Metropolitan Transportation Commission or BART in connection with this request.

RECOMMENDED
FRANK JORDAN
Mayor

Teresa Smith
Budget Director

EDWARD HARRINGTON
Controller

John W Madden

Public Utilities Commission

BOARD OF SUPERVISORS
EG:lsm/60416

Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
94-92-4

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE - 7/15/92

FILE NO. 94-92-5 RESOLUTION NO. 641-92

(GRANT-STATE FUNDS)

RESOLUTION AUTHORIZING THE PUBLIC UTILITIES COMMISSION TO APPLY FOR, ACCEPT, AND EXPEND $1,704,000 INCLUDING AN ESTIMATED ~~$119,280~~ $81,792 OF INDIRECT COSTS FROM 1992-93 STATE TRAFFIC SYSTEM MANAGEMENT FUNDS FOR THE MUNICIPAL RAILWAY ~~AND~~ OR ~~ALSO~~ TO APPLY FOR, ACCEPT AND EXPEND AVAILABLE FEDERAL PETROLEUM VIOLATION ESCROW ACCOUNT FUNDS TO SUPPORT SIGNAL SYSTEM PRE-EMPTION AND OTHER ENERGY EFFICIENT TRANSPORTATION IMPROVEMENTS; PLACING $1,312,080 ON RESERVE.

GJ 7/15 GJ 7/15 GJ 7/15

WHEREAS, The Governor and the Legislature make State of California Traffic Systems Management funds available to support traffic improvement projects for transit and road systems through the voter-approved Kopp-Katz-Baker Transportation Blueprint for the Twenty-First Century (Proposition 111); and

WHEREAS, Federal Petroleum Violation Escrow Account Funds may also be available to support the San Francisco Municipal Railway signal pre-emption project to provide for energy efficient transportation improvements; and

WHEREAS, The proposed applications would fund the continued purchase and installation of Muni Transit Signal Preemption Equipment; and

WHEREAS, This project ranked high in the Municipal Railway Short Range Transit Plan, and the regional and state priority ranking for Traffic Systems management projects; and

WHEREAS, The project addresses serious transportation problems in San Francisco's transit system and is ready for funding in this fiscal year; and

WHEREAS, No local match funds are required for State Traffic Systems Management capital funds; and

WHEREAS, The estimated costs of this project includes:

Design and Construction Engineering	~~$272,000~~ $272,640	- 16%
Material and Installation Contracts	~~1,264,820~~ 1,312,080	- 77%
Project Administration and Indirect Costs	119,280	- 7%
Total Project Cost	$1,704,000; now,	

GJ 7/15

THEREFORE, be it

RESOLVED, That the Public Utilities Commission, is hereby authorized to apply for, accept, and ~~expend~~ $1,704,000 from 1992-93 State Traffic Systems Management Capital Funds ~~and~~/or Petroleum Violation Escrow Account funds for the Municipal Railway; and be it, including an estimated $81,792 of indirect costs

GJ 7/15 GJ 7/15

FURTHER RESOLVED, That the Public Utilities Commission is authorized to furnish whatever additional information that might be requested by the funding agencies in connection with this grant request; and be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to execute fund transfer agreements with the State of California Department of Transportation to accept these funds; and be it

FURTHER RESOLVED, That funds in the amount of $1,312,080 are hereby placed on reserve pending the determination of the MBE/WBE status of contractors and finalization of contract cost details, to be released by the Finance Committee.

GJ 7/15

RECOMMENDED:

FRANK JORDAN
MAYOR

EDWARD HARRINGTON
CONTROLLER

Teresa Serata

John W Madden

PUBLIC UTILITIES COMMISSION
BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh
Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
94-92-5

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 146-92-21.1 RESOLUTION NO. 642-92

(Grant - (State))

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, BUREAU OF TOXICS, HEALTH & SAFETY SERVICES TO ACCEPT AND EXPEND, RETROACTIVE TO JUNE 1, 1992, A GRANT OF $49,950, WHICH INCLUDES INDIRECT COSTS OF $3800, BASED ON 20% OF DEPT. OF PUBLIC HEALTH SALARIES FROM THE CALIFORNIA DEPARTMENT OF FISH AND GAME FOR THE DEVELOPMENT OF THE SAN FRANCISCO OIL SPILL PREVENTION AND RESPONSE PLAN.

GJ 7/15

RESOLVED, that the Department of Public Health, Bureau of Toxics, Health, & Safety Services is hereby authorized to accept and expend, retroactive to June 1, 1992, a grant of $49,950, which includes indirect costs in the amount of $3800, based on 20% of Department of Public Health Staff salaries, from the California Department of Fish and Game for the development of the San Francisco Oil Spill Prevention and Response Plan.

GJ 7/15

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Sandy Ange Moi
Health Commission

EDWARD HARRINGTON
CONTROLLER
By
Public Health

Joan M. Marcus
Mayor's Office

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-21.1

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 146-92-29 RESOLUTION NO. 643-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH SERVICES, SPECIAL PROGRAMS FOR YOUTH AS A SUB GRANTEE, IN COLLABORATION WITH NORTHERN CALIFORNIA PEDIATRIC AIDS TREATMENT CENTER AS PRIME GRANTEE, TO ACCEPT AND EXPEND AN ALLOCATION OF $244,840, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $11,659 BASED ON 5% OF DIRECT COSTS, FROM THE NATIONAL INSTITUTE OF HEALTH, NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASE, FOR ESTABLISHING CLINICAL TRIAL SUBUNITS AND HEALTH SERVICES FOR YOUTH.

RESOLVED, that the Department of Public Health, Community Public Health Services, Special Programs for Youth as a subgrantee, in collaboration with Northern California Pediatric AIDS Treatment Center as prime grantee, is hereby authorized to accept and expend an allocation of $244,840 which includes indirect cost in the amount of $11,659 based on 5% of direct costs from the National Institute of Health, National Institute of Allergy and Infectious Disease, for establishing clinical trial subunits and health services for youth.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Jean M. Mariani
Mayor's Office

EDWARD HARRINGTON
CONTROLLER

By John W. Madden

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CC

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-29

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 146-92-49 RESOLUTION NO. 644-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH, SPECIAL PROJECTS FOR YOUTH, TO ACCEPT AND EXPEND A GRANT OF $90,466 FROM THE LARKIN STREET YOUTH CENTER AS THE PRIMARY GRANTEE OF A GRANT FROM THE HEALTH RESOURCES AND SERVICES ADMINISTRATION, FOR COMPREHENSIVE HEALTH CARE TO HIGH RISK AND HIV-POSITIVE YOUTH; WAIVING INDIRECT COSTS.

WHEREAS, The primary grantee does not allow indirect costs to be paid to subgrantees; now therefore be it

RESOLVED, That the Department of Public Health, Community Public Health, Special Projects for Youth, is hereby authorized to accept and expend a grant of $90,466 from the Health Resources and Services Administration for comprehensive health care to high risk and HIV-positive youth in San Francisco; and be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

Jean M. Mariani
Mayor's Office

APPROVED:

EDWARD HARRINGTON
CONTROLLER

Public Health
BOARD OF SUPERVISORS By

Sandy Ouye Mori
HE [illegible]

CC

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-49

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE - 7/15/92

FILE NO. 146-92-50

RESOLUTION NO. 645-92

(Grant - State)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO ACCEPT AND EXPEND A SUPPLEMENTAL ALLOCATION OF $150,000 FROM THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES TO CONTINUE FUNDING THE AIDS DRUG PROGRAM; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN; WAIVING INDIRECT COSTS.

GJ 7/15

WHEREAS, The California Department of Health Services does not allow for indirect costs; now, therefore be it

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to accept and expend a supplemental allocation of $150,000 from the California Department of Health Services to continue funding the AIDS Drug Program for the residents of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

Jean M. Mariani
Mayor's Office

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

EDWARD HARRINGTON
CONTROLLER
By John Madden

APPROVED:

Sandy Chung Mori
Health Commission

Public Health

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-50

JUL 24 1992
Date Approved

Mayor

FILE NO. 146-92-51 RESOLUTION NO. 646-92

(Grant - State)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO ACCEPT AND EXPEND A GRANT NOT TO EXCEED $2,615,796, WHICH INCLUDES INDIRECT COSTS NOT TO EXCEED $75,322, BASED ON 10% OF PERSONNEL COSTS, FROM THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES TO CONTINUE FUNDING THE MASTER GRANT AGREEMENT; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

WHEREAS, The Local Assistance Block Grant component of the Master Grant Agreement contains no indirect costs because of the funder-mandated purpose of these funds to provide infrastructure support for the provision of AIDS services; therefore, be it

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to accept and expend a grant not to exceed $2,615,796, which includes indirect costs not to exceed $75,322, based on 10% of personnel costs, from the California Department of Health Services to continue funding the Master Grant Agreement for the residents of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs for the Local Assistance Block Grant component of this grant; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Public Health

Joan M. Mariani
Mayor's Office

EDWARD HARRINGTON
CONTROLLER
By

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Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
146-92-51

JUL 24 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 61-92-1.2 RESOLUTION NO. 647-92

(Contract Award)
APPROVING AWARD OF MUNICIPAL RAILWAY CONTRACT MR-1034R FOR PROCUREMENT AND INSTALLATION OF AN ADVANCED TRAIN CONTROL SYSTEM; APPROVING A FURTHER 60-DAY EXTENSION FROM JULY 7, 1992, WITHIN WHICH TO AWARD THE CONTRACT.

WHEREAS, On February 24, 1992, the Municipal Railway ("Muni") received two bids for Contract No. MR-1034R (procurement and installation of an Advanced Train Control System ("ATCS")); and

WHEREAS, Muni's Technical Pre-Qualification Committee reviewed the submittals and found only one bidder (Alcatel Canada, Inc.) fully compliant with Muni's established 19 Minimum Requirements for qualification and thus eligible to have its price bid opened; and

WHEREAS, Pursuant to Resolution No. 92-0097, adopted March 24, 1992, the Public Utilities Commission extended the time for award of Contract MR-1034R so that a price analysis of the bid could be performed for Federal Transportation Administration ("FTA") purposes, to seek additional funding sources, and to negotiate with the single bidder; and

WHEREAS, Pursuant to Resolution No. 331-92, adopted April 20, 1992, the Board of Supervisors approved the extension of time for award of Contract MR-1034R to July 7, 1992; and

WHEREAS, Negotiations have been completed and FTA approval has been requested for a non-competitive negotiation; and

WHEREAS, On June 9, 1992, pursuant to Resolution No. 92-0171, the Public Utilities Commission approved the award of Contract MR-1034R to Alcatel Canada, Inc. in an amount not to exceed $52.7 million, subject to obtaining FTA approval of the request for a non-competitive negotiated procurement, and further requested that the Board of Supervisors approve said Contract pursuant to Charter Section 3.502; and

WHEREAS, The PUC also approved a further 60-day extension of time to award the Contract if the Contract was unable to be awarded by July 7, 1992, and requested that the Board also approve such an extension if necessary; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby concurs in the approval of Contract MR-1034R to Alcatel Canada, Inc., subject to obtaining FTA approval of the request for a non-competitive negotiated procurement; and, be it

FURTHER RESOLVED, That the Board approves a further 60-day extension from July 7, 1992, within which to award the Contract.

0269P

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Adopted - Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hallinan Hsieh Kennedy
Maher Migden Shelley

Absent: Supervisors Achtenberg Gonzalez

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
61-92-1.2

JUL 29 1992
Date Approved

Mayor

FILE NO. 1-92-30 RESOLUTION NO. 648-92

LA

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence from commission to leave the State, be and they are hereby granted:

Tom Ammiano, member, Board of Education,
June 11 - 14 and 19 - 21;

Raymond Baxter, Director of Health,
August 1 - 9;

Kenneth E. Dowlin, City Librarian,
August 6 - 11;

Anne Halsted, member, Port Commission,
July 19 - 25;

Bob Hillmann, member, Film and Video Arts Commission,
July 9 - 16;

David Ishida, Acting Director, Commission on the Aging,
July 17 - 22;

Stanley Mattison, Vice President, Airports Commission,
July 22 - 24;

Harry S. Parker, III, Director, Fine Arts Museums,
August 3 - 10;

Fred A. Rodriguez, member, Board of Education,
June 20 - 28;

L.A. Turpen, Director of Airports,
July 25 - August 9 and August 14 - 24;

Douglas F. Wong, President, Port Commission,
July 11 - 20, 1992.

BOARD OF SUPERVISORS

Adopted on date of introduction
Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Achtenberg Gonzalez Hallinan

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 1-92-30

JUL 29 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 55-92-2 RESOLUTION NO. 649-92

(Bus Re-routing Off North Point Street)

URGING THE GOLDEN GATE BRIDGE, HIGHWAY AND TRANSIT DISTRICT TO RE-ROUTE THEIR EASTBOUND MORNING 6 A.M. TO 9 A.M. COMMUTE BUSES FROM NORTH POINT STREET TO POLK STREET AND BEACH STREET FOR A SIX MONTH TRIAL PERIOD AND REQUESTING THE DEPARTMENT OF PARKING AND TRAFFIC PREPARE A REPORT ON THE OUTCOME OF THE TRIAL.

WHEREAS, This Board has held several hearings on complaints of the excessive shaking of residential buildings on the 700-1000 blocks of North Point Street; and

WHEREAS, This Board passed Resolution No. 1077-91 which urged the Mayor to urge the Parking and Traffic Commission and the Director of Parking and Traffic, the Public Utilities Commission and the Municipal Railway, the Planning Commission, and Golden Gate Transit to take all steps necessary to remove the three ton weight restriction on Bay Street, between Van Ness Avenue and Columbus Avenue for a six month trial period, and encourage diesel buses to move from North Point Street to Bay Street when travelling eastbound during this trial period; and

WHEREAS, The Department of Parking and Traffic held a public hearing on rescinding the weight restriction on Bay Street; and

WHEREAS, This proposal generated tremendous opposition by the residents of both Bay and North Point Streets; and

WHEREAS, The Department of Parking and Traffic discussed the whole issue with the neighborhood and an alternative plan was formulated; and

WHEREAS, The alternative plan calls for a six month trial of re-routing the "into" or "out of service" Municipal Railway buses using the Kirkland Yard from North Point Street to Beach Street during the weekday, 6 a.m. to 9 a.m., time period; and

WHEREAS, Eastbound Golden Gate Transit buses would re-route from North Point Street to Polk Street to Beach Street during the 6 a.m. to 9 a.m. period provided that a left turn signal be installed at Polk Street and bus stops and red curb be painted in selected areas for the six month trial period; and

WHEREAS, This was the subject of a Department of Parking and Traffic public hearing on May 1, 1992 and was received favorably by the community; and

WHEREAS, Municipal Railway buses have diverted their buses as of June 20, 1992; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urge the Golden Gate Bridge, Highway and Transportation District to re-route their eastbound morning 6 a.m. to 9 a.m. commute buses from North Point Street to Polk Street and Beach Street for a six month trial period; and, be it

FURTHER RESOLVED, That the Department of Parking and Traffic submit a written report on the outcome of the trial at the end of the trial period.

Supervisor Kennedy

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oc

Adopted on date of introduction
Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hsieh Kennedy Maher
Migden Shelley

Absent: Supervisors Achtenberg Gonzalez Hallinan

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

JUL 29 1992
Date Approved

File No.
55-92-2

Mayor

FILE NO. 210-92-1 RESOLUTION NO. 650-92

oc

[Retirement System]

URGING THE MAYOR TO URGE THE RETIREMENT SYSTEM TO REDUCE THE CITY'S CONTRIBUTION TO THE RETIREMENT SYSTEM FUND FOR FISCAL YEAR 1992-1993 TO COMPENSATE FOR PAST OVERPAYMENTS AND TO ADJUST CONTRIBUTION RATES.

WHEREAS, The City has, due to actuarial errors, overpaid into the Retirement System of the City and County of San Francisco over the last few years; and,

WHEREAS, The City and County of San Francisco anticipates significant additional revenue reductions from the State; and,

WHEREAS, It is necessary for the City to lessen the blow of state cuts for its citizens or these cuts will force the City to implement unacceptable budget reductions and revenue increases; and,

WHEREAS, The City could recover its approximately 30 million dollar overpayment this year by reducing its contribution to the Retirement Fund as compensation for past overpayments with no jeopardy to the integrity of the fund; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby urge His Honor, the Mayor, to immediately send a letter to the Retirement System urging that body to reduce Fiscal Year 1992-1993's contribution by approximately 30 million dollars to reflect the previous overpayments; and, be it

FURTHER RESOLVED, That the Mayor ask the Retirement Board to adjust its Fiscal Year 1992-1993 contribution rates as they deem appropriate on the basis of the June 30, 1992 valuation.

Supervisor Conroy

Adopted on date of introduction
Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Achtenberg Gonzalez Hallinan

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

JUL 29 1992
Date Approved

Frank M. Jordan
Mayor

File No.
210-92-1

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FILE NO. 10-92-2 RESOLUTION NO. 651-92

[illegible] PERMISSION TO CATELLUS DEVELOPMENT CORPORATION TO CONSTRUCT A GOLF DRIVING RANGE AND OTHER RELATED IMPROVEMENTS IN OWENS STREET AND 6TH STREET IN THE "MISSION BAY" PROJECT AREA, AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

WHEREAS, In a letter dated May 4, 1992 to the Department of Public Works, Catellus Development Corporation requested permission to construct a golf driving range and other related improvements at the aforementioned location.

WHEREAS, The request was approved by the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) on May 28, 1992.

WHEREAS, The Department of City Planning by letter dated May 15, 1992 declared that the subject encroachment is in conformance with the Master Plan and is consistent with the eight priority policies of City Planning Code Section 101.1.

WHEREAS, The permittee has paid the fees of $800.00 to defray the cost of processing this permit.

WHEREAS, On June 5, 1992, the Department of Public works held a public hearing on this matter and there were no objections to said encroachment.

RESOLVED, That permission, revocable at the will of the City is hereby granted to Catellus Development Corporation (the "Permittee") to occupy a portion of the street areas at Owens Street and 6th Street, within the "Mission Bay" project area, for the purpose of constructing a golf driving range and other related improvements as shown on the plans, a copy of which is on file in the office of the Clerk of the Board of Supervisors in File No. 10-92-2, and in accordance with the

BOARD OF SUPERVISORS

Street Encroachment Agreement a copy of which is on file with the Clerk of the Board of Supervisors in File No. 10-92-2 (the "Street Encroachment Agreement");

FURTHER RESOLVED, That the permission granted hereunder shall automatically terminate upon the failure to continue in force the insurance protection hereafter referred to or upon the sale, transfer or assignment of the adjacent property owned by the Permittee as set forth in the Street Encroachment Agreement;

FURTHER RESOLVED, That the Director of Public Works is hereby authorized to give and receive notice on behalf of the City under the Street Encroachment Agreement, such authorization to include the authority to terminate the permit granted hereby upon written Notice to Permittee as set forth in the Street Encroachment Agreement;

FURTHER RESOLVED, That the project intended by the encroachment is consistent with the eight priority policies of City Planning Code Section 101.1; in that:

1. Existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment and ownership for such businesses enhanced. The proposed project expects to employ approximately 20 persons (ten full-time and ten part-time). These jobs would be new jobs to the area and, as such, would be in conformance with the Priority Policies.
2. Existing housing and neighborhood character be conserved and protected. The proposed project area is currently unused and the proposed project will be removed prior to development of housing in the adjacent area.

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3. The project would have no adverse effects on the City's supply of affordable housing.

4. Commuter traffic will not impede Muni transit service or overburden our streets or neighborhood parking. The project would also contain a parking lot for approximately 60 vehicles and the surrounding streets could adequately accommodate any excess parking demand. The transportation element of the proposed project's Negative Declaration also anticipates little or no transit travel demand generated by the project.

5. The project would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

6. The project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake.

7. The project would have no adverse effect on landmarks or historic buildings.

8. Our parks and open space and their access to sunlight and vistas will be protected from development. The project is situated in an area which is not visually prominent from nearby Potrero Hill. The Negative Declaration determined that the project would not obstruct or degrade any scenic view or vista now available from public areas.

The driving structure, turf-covered range area, and the automobile parking on the site would generate some glare during the early morning and late afternoon hours however, the black mesh netting bordering the sides of the range area would somewhat reduce this glare. The glare observable from off-site viewpoints would be consistent with the glare produced in the area surrounding the site.

FURTHER RESOLVED, That the permission granted hereunder shall not become effective until:

(a) There shall have been executed and acknowledged by the Permittee and the Director of Public Works who is hereby authorized to execute such agreement on behalf of the City, the Street Encroachment Agreement, which is hereby declared to be a part of this Resolution as if set forth fully herein, with the copy of this Resolution attached thereto as Exhibit A.

(b) There shall have been delivered to the Controller the policy of insurance provided for in The Street Encroachment Agreement and the Controller shall have had approved the same as complying with the requirements of The Street Encroachment Agreement. The Controller may, at his option accept, in lieu of said insurance policy, the certificate of an insurance company certifying to the existence of such a policy.

(c) There shall have been executed by the Permittee and delivered to the City the Declaration of Compliance with the South Africa

Divestment Ordinance as set forth in the Street Encroachment Agreement.

FURTHER RESOLVED, That the Permittee shall pay the City a monthly license fee as set forth in The Street Encroachment Agreement;

FURTHER RESOLVED, That the Permittee shall obtain all necessary building and other government permits or approvals required in connection with this permit as set forth in The Street Encroachment Agreement;

FURTHER RESOLVED, That no structure shall be erected or constructed on said street area except in accordance with The Street Encroachment Agreement;

FURTHER RESOLVED, That the Permittee shall assume all costs and maintenance and repair of the encroachments and no cost or obligation of any kind shall accrue to the City and County of San Francisco by reason of this permission granted.

FURTHER RESOLVED, That the Permittee shall take all other actions and meet all other conditions and obligations set forth in The Street Encroachment Agreement.

RECOMMENDED:

Deputy Director Public Services

APPROVED:

Director of Public Works

Chief Administrative Officer

Adopted - Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Achtenberg Gonzalez Hallinan

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 10-92-2

JUL 29 1992

Date Approved

Mayor

As amended in Board 7/27/92

FILE NO. 161-92-4 RESOLUTION NO. 652-92

(Redevelopment Agency Budget and Bonds)

[illegible] BUDGET OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO FOR FISCAL YEAR 1992-1993, AS AMENDED; APPROVING AND AUTHORIZING AN AMENDMENT TO THE INDEBTEDNESS LIMITATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND THE CITY AND COUNTY OF SAN FRANCISCO; AND APPROVING THE ISSUANCE BY THE AGENCY OF BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $65,000,000 FOR THE PURPOSE OF FINANCING REDEVELOPMENT ACTIVITIES IN FISCAL YEAR 1992-1993; AND THE AGENCY SHALL PRESENT TO THE BOARD, BY SEPTEMBER 1, 1992, ITS FISCAL YEAR BUDGET FOR RECOMMENDATION IN LIGHT OF THE ADOPTION OF THE STATE BUDGET.

GJ 7/27

7/27/92 ejp

WHEREAS, the Redevelopment Agency of the City and County of San Francisco (the "Agency") is implementing various Redevelopment Plans in the City and County of San Francisco (the "City") in accordance with the Community Redevelopment Law of the State of California, California Health and Safety Code section 33000, et seq. (the "Law"); and

WHEREAS, section 33606 of the Law provides for approval of the annual Budget of the Agency by the Legislative Body of the City (the "Board of Supervisors"); and

WHEREAS, the Agency has submitted its annual budget for fiscal year 1992-1993 to the Board of Supervisors for approval (the "Budget"), with an amendment to the Indebtedness Limitation Agreement between the Agency and the City; and

WHEREAS, the Agency has developed a financing program for the purpose of financing a portion of its Budget which will require the Agency to enter into loans and/or to issue and to refund, as necessary, or to cause to be loaned and/or issued and/or refunded on its behalf by a public finance authority, bonds, notes or other evidence of indebtedness (such loans, bonds, notes or other evidence of indebtedness being referred to as the "Bonds") in an aggregate principal amount not to exceed $65,000,000 and which will be repaid from and secured by the taxes allocated to and paid to the Agency pursuant to the Law (and in particular, but not limited to, Sections 33670 - 33674) and to Section 16 of Article XVI of the California Constitution ("Tax Increment"); and

WHEREAS, the Law provides that the issuance of the Bonds is subject to the approval of the Board of Supervisors; and

WHEREAS, the Agency hereby requests that such approval be granted, and the Board of Supervisors is agreeable to doing so subject to the execution of an amendment to and compliance with the Indebtedness Limitation Agreement; now, therefore, be it

RESOLVED, by the Board of Supervisors of the City and County of San Francisco that it does hereby approve the Budget of the

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Agency for Fiscal Year 1992-1993, as amended, as that Budget is shown in amended Exhibit 2 attached hereto; and, be it

FURTHER RESOLVED, that the Mayor is authorized to execute an amendment to the Indebtedness Limitation Agreement on behalf of the City substantially in the form presented to the Board of Supervisors and hereby approved, with such further amendments to be approved by the City Attorney which amendments do not alter the substance of the Agreement materially or materially increase the obligations of the City; and, be it

FURTHER RESOLVED, that subject to compliance with the Indebtedness Limitation Agreement, as amended, by the Agency, the issuance of the Bonds by the Agency in an aggregate principal amount not to exceed $65,000,000 for the purpose of financing a portion of its Budget is hereby approved; and, be it

7/27/92

FURTHER RESOLVED, that the Redevelopment Agency has agreed, as a condition of this approval, to present the Agency's 1992-1993 fiscal year budget to the Board of Supervisors, by September 1, 1992, for reconsideration inlight of the fiscal impacts to the Agency and the City and County that may result from the final adoption of the fiscal year 1992-1993 budget for the State of California.

ejp

Adopted - Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hallinan Hsieh Kennedy Migden Shelley

Noes: Supervisor Maher

Absent: Supervisors Achtenberg Gonzalez

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

JUL 29 1992

Date Approved

Mayor

File No.
161-92-4

FILE NO. 6-92-14 RESOLUTION NO. 653-92

[AFFORDABLE HOUSING]

COMMENDING THE COUNCIL OF COMMUNITY HOUSING ORGANIZATIONS (CCHO) FOR ITS SUCCESSFUL EFFORTS TO PROVIDE PERMANENTLY AFFORDABLE HOUSING OPPORTUNITIES FOR ALL SAN FRANCISCANS.

WHEREAS, the Council of Community Housing Organizations (CCHO), composed of some 25 community and church based, non-profit affordable housing development corporations and low income tenant advocacy organizations, has been active in San Francisco for the last fourteen years; and

WHEREAS, CCHO members have developed or re-habilitated some 3,000 permanently affordable low income housing units of families, the elderly, the formally homeless, the mobility impaired, and the ill; and

WHEREAS, this affordable housing has been of every type from single room occupancy hotel rooms to four bedroom townhouses, from rental to limited equity ownership and has received numerous national awards for design and architectural excellence; and

SUPERVISOR SHELLEY JULY 20,1992

BOARD OF SUPERVISORS

WHEREAS, CCHO and its members advocacy for public policies supportive of continued low income affordable housing opportunities such as the rezoning of the Tenderloin and the South of Market neighborhoods in 1986 and 1987, the 1988 Development Agreement Ordinance, the 1989 Office Affordable Housing Production Program Ordinance, the 1990 Resident Element of the San Francisco Master Plan, the 1991 Comprehensive Housing Affordability Strategy of the City and County of San Francisco and the 1992 ~~UMB~~ Seismic Program serve all San Franciscans; now, therefore, be it

RESOLVED that the Board of Supervisors commend CCHO and its member organizations successful efforts to provide permanently affordable housing opportunities for all San Franciscans.

SUPERVISOR SHELLEY JULY 20, 1992

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hsieh Kennedy Maher
Migden Shelley

Absent: Supervisors Achtenberg Gonzalez Hallinan

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

JUL 29 1992
Date Approved

Frank M. Jordan
Mayor

File No.
6-92-14

FILE NO. 12-92-25.2 RESOLUTION NO. 654-92

[California Arts Council]

URGING THE CALIFORNIA STATE DELEGATION TO OPPOSE FURTHER CUTS IN THE BUDGET OF THE CALIFORNIA ARTS COUNCIL.

WHEREAS, San Francisco artists received $2 million last year, the largest allocation to any city in California from the California Arts Council (CAC), whose total budget last year was $15.9 million; and

WHEREAS, Each dollar from the CAC must be matched by local private dollars ranging from a 1 to 1 match to a 3 to 1 match, thereby generating $6 million to $9 million into the local economy annually; and

WHEREAS, Many arts organizations in San Francisco get funding from the CAC, including the Opera, the Symphony, the Ballet and many small- and mid-sized arts organizations covering all disciplines, including multi-cultural and gay and lesbian organizations; and

WHEREAS, Numerous individual artists who work with seniors, the disabled, people with AIDS, are funded by grants from the CAC; and

WHEREAS, The CAC also funds organizations who place artists in the public and private schools to provide arts education; and

WHEREAS, CAC dollars allow countless artists to provide access to the arts to thousands of people, enriching these communities in both urban and rural areas and giving children and others opportunities they might not otherwise have;

WHEREAS, Proposals have been advanced which would cut funding for the California Arts Council by as much as an additional 80%; and

WHEREAS, A cut of that magnitude would decimate the California Arts Council, and in turn reduce funds to San Francisco; now, therefore, be it

RESOLVED, That the City and County of San Francisco urges the California State Delegation to oppose further cuts in the budget of the California Arts Council.

SUPERVISOR SHELLEY, HALLINAN, MIGDEN JULY 20, 1992

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Adopted - Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hsieh Kennedy Maher
Migden Shelley

Absent: Supervisors Achtenberg Gonzalez Hallinan

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

File No.
12-92-25.2

JUL 29 1992
Date Approved

Mayor

FILE NO. 134-92-1 RESOLUTION NO. 655-92

[Central California Regional Studies Program Extension]

AUTHORIZING APPLICATION AND ACCEPTANCE OF AN EXTENSION TO THE COASTAL COUNTY OFFSHORE ENERGY ASSISTANCE PROGRAM BLOCK GRANT TO DECEMBER 31, 1992, RETROACTIVE TO APRIL 1, 1992, IN ORDER TO ALLOW FOR SAN FRANCISCO'S CONTINUING INVOLVEMENT IN THE REGIONAL STUDIES PROGRAM AND ITS EFFORTS TOWARDS COMPLETING THE WORK PROGRAM FOR THE LEASE/SALE PARTICIPATION AND REVIEW PROGRAM ELEMENT.

WHEREAS, The Board of Supervisors authorized the Director of Planning to apply for and accept funds from the State of California, Secretary of Environmental Affairs, for the Coastal County Offshore Energy Assistance Program Block Grant in an amount of up to $400,000 in Resolution No. 956-86 adopted on November 18, 1986; and

WHEREAS, The Board of Supervisors authorized the Director of Planning to expend funds approved by the State of California, Secretary of Environmental Affairs, in compliance with the requirements and conditions contained in the State grant agreement for the period from June 15, 1987 through April 1, 1989 in Resolution No. 608-87 of July 6, 1987; and

Supervisor Angela Alioto

WHEREAS, The Board of Supervisors authorized the Director of Planning to expend funds approved by the State of California, Secretary of Environmental Affairs, in compliance with the requirements and conditions contained in the State grant agreement for the period from April 1, 1989 through October 31, 1989 in Resolution No. 145-89 of March 2, 1989; and

WHEREAS, The Board of Supervisors authorized the Director of Planning to expend funds approved by the State of California, Secretary of Environmental Affairs, and to transfer funds within the program from one element to another, in compliance with the requirements and conditions contained in the State grant agreement for the period from October 31, 12989 through March 31, 1991 in Resolution No. 720-89 of September 18, 1989; and

WHEREAS, The Board of Supervisors authorized the Director of Planning to expend funds approved by the State of California, Secretary of Environmental Affairs, and to transfer funds within the program from one element to another, in compliance with the requirements and conditions contained in the State grant agreement for the period from April 1, 1991 through March 31, 1992 in Resolution No. 254-91 of March 25, 1991; and

WHEREAS, Pursuant to the Coastal County Offshore Energy Assistance Program the City and County of San Francisco has joined together with five other Central California coastal counties to form a Central California Regional Studies Program; and

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Supervisor Angela Alioto

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WHEREAS, The Regional Studies Program has completed its work under six program elements and has merged the remaining program elements into one program entitled Lease/Sale Participation and Review; and

WHEREAS, Additional time is needed by the Regional Studies Program in order for it to complete the work program for the Lease/Sale Participation and Review program element, including, but not limited to, work on the Monterey Bay National Marine Sanctuary, Federal Energy Legislation, State and Federal Oil Spill Planning and Natural Resource Damage Assessment, and continued coordination between the six counties in the Regional Studies Program; and

WHEREAS, The Regional Studies Program expects that the work required under the remaining program elements can be completed by December 31, 1992; and

WHEREAS, No additional funds will be required by the City and County of San Francisco as existing funds within the program are sufficient to allow for the continuation of the program through December 31, 1992; and

WHEREAS, The City Planning Commission adopted Resolution No. 13369 on June 18, 1992, authorizing the Director of Planning to apply for and to accept an extension to the Coastal County Offshore Energy Assistance Program Block Grant to December 31, 1992, in order to allow for San Francisco's continuing involvement in the Regional Studies Program and its efforts

towards completing the work program for the Lease/Sale Participation and Review program element; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the application and acceptance of an extension to the Coastal County Offshore Energy Assistance Program block grant to December 31, 1992, retroactive to April 1, 1992, in order to allow for San Francisco's continuing involvement in the Regional Studies Program and its efforts towards completing the work program for the Lease/Sale Participation and Review program element.

Adopted - Board of Supervisors, San Francisco July 27, 1992

Ayes: Supervisors Alioto Britt Conroy Hsieh Kennedy Maher
Migden Shelley

Absent: Supervisors Achtenberg Gonzalez Hallinan

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
134-92-1

JUL 29 1992
Date Approved

Frank M. Jordan
Mayor

C.2

AMENDMENT OF THE WHOLE - 7/29/92

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FILE NO. 170-92-9 RESOLUTION NO. 656-92

BOARD OF SUPERVISORS
of the
CITY AND COUNTY OF SAN FRANCISCO

AMENDED AND RESTATED RESOLUTION
Providing for the Issuance of Not to Exceed
$385,000,000 Aggregate Principal Amount of
City and County of San Francisco
Sewer Revenue Refunding Bonds, Series 1992;
Curing Certain Ambiguous Provisions; Adding to the Covenants
of the City; Authorizing Execution of Sales Certificate; and
Appointing Escrow Agents
(Supplementing, Amending and Restating
Resolution No. 542-88, Adopted July 17, 1988,
Resolution No. 677-88, Adopted August 29, 1988 and
Resolution No. 605-91, Adopted July 15, 1991)

Adopted August 3, 1992

RELATING TO THE CITY AND COUNTY OF SAN FRANCISCO
GENERAL PURPOSE SEWER REVENUE BONDS
INCLUDING $100,000,000
GENERAL PURPOSE SEWER REVENUE BONDS, SERIES 1988A
AND $45,000,000
GENERAL PURPOSE SEWER REVENUE BONDS, SERIES 1988B
AND $170,000,000
GENERAL PURPOSE SEWER REVENUE BONDS, SERIES 1991
AND UP TO $385,000,000
SEWER REVENUE REFUNDING BONDS, SERIES 1992

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Resolution No. 656 -92

Amended and Restated Resolution Providing for the Issuance of Not to Exceed $385,000,000 Aggregate Principal Amount of City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1992; Curing Certain Ambiguous Provisions; Adding to the Covenants of the City; Authorizing Execution of Sales Certificate; and Appointing Escrow Agents (Supplementing, Amending and Restating Resolution No. 542-88, Adopted July 17, 1988, Resolution No. 677-88, Adopted August 29, 1988 and Resolution No. 605-91, Adopted July 15, 1991)

WHEREAS, the Board of Supervisors (the "Board") of the City and County of San Francisco (the "City") has the authority, pursuant to Section 7.300 of the Charter of the City (the "Charter"), to issue revenue bonds, subject to certain limitations, for the purpose of acquiring, constructing, improving, financing and refinancing the municipal sewage treatment and disposal system of the City (the "Enterprise");

WHEREAS, the Board, on December 12, 1977, duly adopted its Resolution No. 973-77, providing generally for the issuance of City and County of San Francisco Sewer Revenue Bonds and, in particular, of $55,000,000 principal amount of City and County of San Francisco Sewer Revenue Bonds, Series A (the "Series A Bonds"); on October 20, 1980, duly adopted its Resolution No. 945-80, providing for the issuance of $50,000,000 principal amount of City and County of San Francisco Sewer Revenue Bonds, Series B (the "Series B Bonds"); on August 27, 1984, duly adopted its Resolution No. 692-84, providing for the issuance of $90,000,000 principal amount of City and County of San Francisco Sewer Revenue Bonds, Series C (the "Series C Bonds"); and on April 14, 1986, duly adopted its Resolution No. 227-86, providing for the issuance of not to exceed $160,000,000 principal amount of City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1986 (the "Series 1986 Refunding Bonds") (such resolutions herein collectively called the "First Lien Resolution");

WHEREAS, the City has heretofore duly issued and sold $55,000,000 aggregate principal amount of Series A Bonds; $50,000,000 aggregate principal amount of Series B Bonds; $90,000,000 aggregate principal amount of Series C Bonds; and $146,240,000 aggregate principal amount of Series 1986 Refunding Bonds, pursuant to the First Lien Resolution;

WHEREAS, the Series A Bonds, Series B Bonds and Series C Bonds were issued for the purpose of acquiring, constructing, improving and financing the Enterprise, and the Series 1986 Refunding Bonds were issued for the purpose of refunding a portion of the Series B Bonds and Series C Bonds;

WHEREAS, the Board, on July 17, 1988, duly adopted its Resolution No. 542-88, providing generally for the issuance of City and County of San Francisco General Purpose

Sewer Revenue Bonds and, in particular, of $100,000,000 principal amount of City and County of San Francisco General Purpose Sewer Revenue Bonds, Series 1988A (the "Series 1988A Bonds"); on August 29, 1988, duly adopted its Resolution No. 677-88, providing for the issuance of $45,000,000 principal amount of City and County of San Francisco General Purpose Sewer Revenue Bonds, Series 1988B (the "Series 1988B Bonds"); and on July 15, 1991, duly adopted its Resolution No. 605-91, providing for the issuance of $170,000,000 principal amount of City and County of San Francisco General Purpose Sewer Revenue Bonds, Series 1991 (the "Series 1991 Bonds") (such resolutions and this Resolution herein collectively called the "Resolution");

WHEREAS, the City has heretofore duly issued and sold $100,000,000 aggregate principal amount of the Series 1988A Bonds, $45,000,000 aggregate principal amount of the Series 1988B Bonds and $170,000,000 aggregate principal amount of the Series 1991 Bonds pursuant to the Resolution;

WHEREAS, the Series 1988A Bonds, the Series 1988B Bonds and the Series 1991 Bonds were issued for the purpose of acquiring, improving and financing the Enterprise;

WHEREAS, Section 3.05 of the Resolution provides that the City may issue and deliver one or more Series of Bonds in such maximum principal amount as shall be determined by the Board for the purpose of refunding bonds previously issued pursuant to the First Lien Resolution and the Resolution, subject to the conditions set forth in Sections 3.05 and 3.06 of the Resolution;

WHEREAS, the Board has determined that Series 1992 Bonds in the aggregate principal amount of not to exceed three hundred eighty-five million dollars ($385,000,000) (the "Series 1992 Bonds") should be issued pursuant to this Resolution for the purpose of providing moneys which will be sufficient to provide for the payment of principal of, premium, if any and interest on all outstanding Prior Bonds (as defined below) as the same shall become due and payable to and including the applicable Maturity Dates or Redemption Dates (as such terms are defined in the Escrow Agreements) in order to achieve debt service savings, to discharge the First Lien Resolution and to restructure but not extend the debt service schedule of the Enterprise;

WHEREAS, the Series 1992 Bonds may be issued without voter approval pursuant to Section 7.300(5) of the Charter, in that the sale of the Series 1992 Bonds to refund the Series A Bonds, Series B Bonds, Series C Bonds, Series 1986 Refunding Bonds, Series 1988A Bonds and Series 1988B Bonds (collectively, the "Prior Bonds") will result in lower total scheduled principal and interest payments of the City;

WHEREAS, the conditions set forth in Sections 3.05 and 3.06 of the Resolution and in Section 7.300(5) of the Charter have been satisfied or will be satisfied at the time of issuance of the Series 1992 Bonds;

WHEREAS, the Resolution provides in Section 9.01 thereof that it may be modified or amended, without the consent of any Bondowners, to add to the covenants and agreements of the City or to surrender any right or power, and to cure, correct or supplement any ambiguous or defective provision thereof, or in regard to questions arising under the Resolution, subject to certain conditions;

WHEREAS, the Board hereby determines to amend and restate the Resolution in order to add to the covenants and agreements of the City to surrender certain rights and to cure, correct and supplement certain ambiguous provisions thereof, and in regard to certain questions arising under the Resolution;

WHEREAS, the forms of Escrow Agreements providing for the deposit of certain funds in connection with the refunding of the Prior Bonds are presented to the Board for approval; and

WHEREAS, all conditions, things and acts required by law to exist, happen and be performed precedent to and in connection with the issuance of not to exceed $385,000,000 principal amount of Series 1992 Bonds exist, have happened and have been performed in regular and due time, form and manner as required by law, or will have prior to the issuance and delivery of the Series 1992 Bonds, and the Board is duly empowered to issue the Series 1992 Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the City and County of San Francisco, that Resolution Nos. 542-88, 677-88, and 605-91 shall be supplemented, amended and restated in their entirety to read as follows:

ARTICLE I

DEFINITIONS; EQUAL SECURITY; CERTIFICATES AND OPINIONS

SECTION 1.01. Definitions. Unless the context otherwise requires, the terms defined in this Section shall, for all purposes of this Resolution and of any Supplemental Resolution and of any certificate, opinion or other document herein mentioned, have the meanings herein specified. Unless otherwise defined in this Resolution, all terms used herein shall have the meanings assigned to such terms in the Law hereinafter mentioned.

Accreted Value

The term "Accreted Value" means, on any particular date of calculation with respect to any particular Capital Appreciation Bond, an amount equal to the initial principal amount of such Bond compounded on each Interest Payment Date (through and including the maturity of such Bond) at the "original issue yield" for such Bond, less interest paid, as of such date of calculation; provided, that the Accreted Value on any date other than an Interest Payment Date shall be calculated by straight line interpolation of the Accreted Values as of the immediately preceding and succeeding Interest Payment Dates. The term "original issue yield" means, with respect to any particular Bond, the original issue yield to maturity of such Bond from the initial date of delivery of such Bond, calculated on the basis of semiannual compounding on the Interest Payment Dates.

Additional Bonds

The term "Additional Bonds" means bonds, notes or other obligations of the City payable from Net Revenues and ranking on a parity with the Bonds and authorized to be issued under and pursuant to Section 3.07.

Authorized Officer, Responsible Officer

The terms "authorized officer" and "responsible officer" of the Fiscal Agent mean and include the chairman of the board of directors, the president, every vice president, every assistant vice president, every assistant secretary and every officer of the Fiscal Agent, other than those specifically above mentioned, to whom any trust matter is referred because of his knowledge of, and familiarity with, a particular subject.

Balloon Indebtedness

The term "Balloon Indebtedness" means a Series of Bonds 25% or more of the principal of which matures on the same date and which amount is not required by the documents governing such Bonds to be amortized by payment or redemption prior to such date. For purposes of this definition, an optional or mandatory tender of Bonds for purchase as described within the definition of Tender Indebtedness shall not be treated as a maturity. If any Series of Bonds consists partially of Variable Rate Indebtedness and partially of

indebtedness bearing interest at a fixed rate, the portion constituting Variable Rate Indebtedness and the portion bearing interest at a fixed rate shall be treated as separate issues for purposes of determining whether any such indebtedness constitutes Balloon Indebtedness.

Board of Supervisors

The term "Board of Supervisors" means the Board of Supervisors of the City or any other governing board of the City hereafter provided for pursuant to law.

Bond Obligation

The term "Bond Obligation" means, as of any given date of calculation, (1) with respect to any Outstanding Current Interest Bond, the principal amount of such Bond, and (2) with respect to any Outstanding Capital Appreciation Bond, the Accreted Value thereof as of the Interest Payment Date next preceding such date of calculation (unless such date of calculation is an Interest Payment Date in which case as of such date).

Bondowner, Owner

The term "Bondowner" or "Owner" means any person who shall be the registered owner of any Outstanding Bond, or, if such Outstanding Bond shall have a maturity of one year or less and shall have been issued in bearer form, shall mean the bearer of such Bond.

Bond Reserve Fund

The term "Bond Reserve Fund" means the fund by that name established pursuant to Section 5.02.

Bond Reserve Fund Policy

The term "Bond Reserve Fund Policy" means a policy of insurance or surety bond issued by a Municipal Bond Insurer, obligations insured by which have a rating by Moody's and S&P which is the highest rating then issued by said rating agency, or a Letter of Credit issued by a Qualified Bank, to satisfy all or a portion of the Required Reserve.

Bonds, Capital Appreciation Bonds, Current Interest Bonds, Series 1988A Bonds, Serial Bonds, Term Bonds

The term "Bonds" means the City and County of San Francisco Sewer Revenue Bonds authorized by, and at any time Outstanding pursuant to, this Resolution or any Supplemental Resolution, including any Additional Bonds authorized by, and at any time Outstanding pursuant to, this Resolution and any Supplemental Resolution, and includes bonds, notes or other evidences of indebtedness payable from Net Revenues on a parity with the Outstanding Bonds.

The term "Current Interest Bonds" means Bonds, designated as such in this Resolution or in any Supplemental Resolution, which pay interest at least semiannually to the Owners thereof excluding the first payment of interest thereon.

The term "Capital Appreciation Bonds" means Bonds, designated as such in this Resolution or in any Supplemental Resolution, on which interest is compounded and paid at maturity or on prior redemption.

The term "Series 1988A Bonds" means the City and County of San Francisco General Purpose Sewer Revenue Bonds, Series 1988A.

The term "Serial Bonds" means Bonds, designated as such in this Resolution or in any Supplemental Resolution, for which no Minimum Sinking Fund Account Payments are provided.

The term "Term Bonds" means Bonds, designated as such in this Resolution or in any Supplemental Resolution, which are payable at or before their specified maturity date or dates from Minimum Sinking Fund Account Payments established for that purpose and calculated to retire such Bonds on or before their specified maturity date or dates.

Book-Entry Bonds

The term "Book-Entry Bonds" means Bonds of any Series registered in the name of the Nominee of a Depository as the Owner thereof pursuant to the terms and provisions of Section 2.09 hereof.

Business Day

The term "Business Day" means any day other than (1) a Saturday, Sunday or day upon which commercial banks in San Francisco, California, or New York, New York are authorized or required to be closed and (2) for purposes of payments and other actions relating to Bonds secured by a Letter of Credit, a day upon which commercial banks in the city in which is located the office of the Qualified Bank at which demands for payment under the Letter of Credit are to be presented are authorized to be closed.

Call Protection Date

The term "Call Protection Date" means the date prior to which the Series 1988A Bonds are not subject to optional redemption, as set forth in the Sales Certificate delivered in connection with the Series 1988A Bonds.

Certificate of the City

The term "Certificate of the City" means an instrument in writing signed by the Mayor, the Controller, the Chief Administrative Officer of the City or by any other officer of the City duly authorized by the Board of Supervisors for that purpose. Any such instrument and supporting opinions or representations, if any, may, but need not, be combined in a single instrument with any other instrument, opinion or representation, and the two or more so combined shall be read and construed as a single instrument. If and to the extent required by the provisions of Section 1.03, each Certificate of the City shall include the statements provided for in Section 1.03.

Charter

The term "Charter" means the Charter of the City as it now exists or as it may hereafter be amended, and any new or successor Charter.

City

The term "City" means the existing political subdivision known as the City and County of San Francisco, in the State of California, as the same is organized and existing under and by virtue of the Constitution and laws of the State of California and the Charter and any public body hereafter created which shall be a successor thereto.

Clerk

The term "Clerk" means the Clerk of the Board of Supervisors.

Code

The term "Code" means the Internal Revenue Code of 1986, as amended.

Consulting Engineers

The term "Consulting Engineers" means any engineer or firm of engineers retained by the City having a wide and favorable reputation for skill and experience in evaluating the construction and operation of public utilities, including municipal sewage treatment and disposal systems, or in other revenue producing publicly-owned enterprises, to perform the acts and carry out the duties provided for such consulting engineers in this Resolution.

Controller

The term "Controller" means the Controller of the City and includes any deputy acting for the Controller.

Credit Provider

The term "Credit Provider" refers to a Municipal Bond Insurer that has issued an outstanding policy of municipal bond insurance or a Qualified Bank that is the issuer of an outstanding Letter of Credit which, in each case, secures payment of principal of, and interest on, or tender price of, all or a portion of a Series of Bonds; provided that this term shall not refer to a Reserve Provider.

Depository

The term "Depository" means the securities depository acting as Depository pursuant to Section 2.09 hereof.

DTC

The term "DTC" means The Depository Trust Company, New York, New York, and its successors and assigns.

Escrow Agent

The term "Escrow Agent" means each entity described in Section 14.06 hereof.

Enterprise

The term "Enterprise" means the whole and each and every part of the municipal sewage treatment and disposal system and auxiliary or related facilities of the City, including all of said presently existing system of the City for the collection, treatment and disposal of sewage, waste and storm water and all additions, betterments, and extensions to said system or any part thereof hereafter made.

Event of Default

The term "Event of Default" means an event of that name described in Section 7.01.

Federal Securities

The term "Federal Securities" means United States treasury notes, bonds, bills or certificates of indebtedness, or obligations for which the faith and credit of the United States of America are pledged for the payment of principal and interest (including obligations issued or held in book-entry form and securities which represent an undivided interest in such direct obligations), and also any securities now or hereafter authorized, both the principal of and interest on which is guaranteed directly by the full faith and credit of the United States of America.

Financial Newspaper or Journal

The term "Financial Newspaper or Journal" means The Wall Street Journal or The Bond Buyer, or any other newspaper or journal publishing financial news and selected by the Fiscal Agent, whose decision shall be final and conclusive, printed in the English language, customarily published on each Business Day and circulated in San Francisco, California.

First Lien Bonds

The term "First Lien Bonds" means bonds of the City as defined in the preamble of this Resolution.

First Lien Resolution

The term "First Lien Resolution" means the resolution of the City as defined in the preamble of this Resolution.

Fiscal Agent

The term "Fiscal Agent" means Bank of America National Trust and Savings Association, acting as an independent trustee with the duties and powers herein provided, its successors and assigns, and any other corporation or association which may at any time be substituted in its place, as provided in Section 8.01.

Fiscal Year

The term "Fiscal Year" means the period beginning on July 1 of each year and ending on the next succeeding June 30, or such other fiscal year as may be adopted by the City for its general accounting purposes.

Independent Certified Public Accountant

The term "Independent Certified Public Accountant" means any certified public accountant or firm of such accountants appointed and paid by the City, and who, or each of whom --

(i) is in fact independent and not under domination of the City;

(ii) does not have any substantial interest, direct or indirect, with the City; and

(iii) is not connected with the City as an officer or employee of the City, but who may be regularly retained to make annual or other audits of the books of or reports to the City.

Information Services

The term "Information Services" means Financial Information, Inc.'s "Daily Called Bond Service," 30 Montgomery Street, 10th Floor, Jersey City, New Jersey 07302, Attention: Editor; Kenny Information Services' "Called Bond Service," 65 Broadway, 16th Floor, New York, New York 10004; Moody's "Municipal and Government," 99 Church Street, 8th Floor, New York, New York 10007, Attention: Municipal News Reports; and S&P's "Called Bond Record," 25 Broadway, 3rd Floor, New York, New York 10004; or, in accordance with then-current guidelines of the Securities and Exchange Commission, such other addresses and/or such other services providing information with respect to called bonds, or no such services, as the City may designate in a Written Request of the City delivered to the Fiscal Agent.

Interest Payment Date

The term "Interest Payment Date" means April 1 and October 1 of each year, commencing on the date specified in the Sales Certificate delivered in connection with each Series of Bonds.

Issue Date

The term "Issue Date" means the dated date of each Series of the Bonds.

Law

The term "Law" means the Charter, including, without limitation, Sections 7.300 thereof, and all laws of the State of California supplemental thereto, including the Revenue Bond Law of 1941 to the extent made applicable by Section 7.300 of the Charter. Whenever reference is made in this Resolution to the Law, reference is made to the Law as in force on the date of this Resolution or any Supplemental Resolution, unless the context otherwise requires.

Legal Investments

The term "Legal Investments" means bonds, notes, certificates of indebtedness, bills, acceptances or other securities in which funds of the City may now or hereafter be legally invested as provided by the law in effect at the time of such investment.

Letter of Credit

The term "Letter of Credit" means an irrevocable and unconditional letter of credit, a standby purchase agreement, a line of credit or other similar credit arrangement issued by a Qualified Bank to secure payment of Balloon Indebtedness, Variable Rate Indebtedness, Tender Indebtedness or a Series of Bonds or to satisfy all or a portion of the Required Reserve.

Letter of Credit Agreement

The term "Letter of Credit Agreement" means an agreement between the City and a Qualified Bank pursuant to which the Qualified Bank agrees to issue a Letter of Credit and which sets forth the repayment obligation of the City to the Qualified Bank on account of any payment under the Letter of Credit.

Letter of Representations

The term "Letter of Representations" means the letter of the City and the Fiscal Agent delivered to and accepted by the Depository on or prior to the issuance of a Series of Book-Entry Bonds setting forth the basis on which the Depository serves as depository for such Book-Entry Bonds, as originally executed or as it may be supplemented or revised or replaced by a letter to a substitute depository.

Maintenance and Operation Costs of the Enterprise

The term "Maintenance and Operation Costs of the Enterprise" means the reasonable and necessary costs of operating and maintaining the Enterprise, calculated on sound accounting principles, including (among other things) salaries and wages, fees for services, costs of materials, supplies and fuel, reasonable expenses of management, legal fees, accounting fees, repairs and other expenses necessary to maintain and preserve the Enterprise in good repair and working order, and reasonable amounts for administration, overhead, insurance, taxes (if any), and other similar costs, but excluding in all cases (i) depreciation and obsolescence charges or reserves therefor, (ii) amortization of intangibles or other bookkeeping entries of a similar nature, (iii) costs of capital additions, replacements, betterments, extensions or improvements to the Enterprise, which under generally accepted accounting principles are chargeable to a capital account or to a reserve for depreciation, and (iv) charges for the payment of principal and interest on any general obligation bonds, revenue bonds or other indebtedness heretofore or hereafter issued for Enterprise purposes.

Maximum Annual Debt Service, Annual Debt Service, Debt Service, Average Annual Debt Service

The term "Maximum Annual Debt Service" means, at any point in time, with respect to Bonds then Outstanding, the maximum amount of principal and interest becoming due in the then current or any future Fiscal Year, calculated by the City as provided in this definition. The term "Annual Debt Service" means the sum of such principal and interest as computed for the twelve-month period ending June 30 to which reference is made. The term "Debt Service" means the sum of all such principal and interest. The term "Average Annual Debt Service" means total Debt Service, divided by the number of twelve-month periods ending on June 30 (including any fractional periods) remaining until the last maturity date of any Outstanding Bond. For purposes of calculating Maximum Annual Debt Service, Annual Debt Service, Debt Service and Average Annual Debt Service, the following assumptions are to be used to calculate the principal and interest becoming due in any Fiscal Year:

(i) in determining the principal amount due in each year, payment shall (unless a different subsection of this definition applies for purposes of determining principal maturities or amortization) be assumed to be made in accordance with any amortization schedule established for such debt, including any Minimum Sinking Fund Account Payments or any scheduled redemption or payment of Bonds on the basis of Accreted Value, and for such purpose, the redemption payment or payment of Accreted Value shall be deemed a principal payment and interest that is compounded and paid as Accreted Value shall be deemed due on the scheduled redemption or payment date of such Capital Appreciation Bond;

(ii) if any of the Outstanding Series of Bonds constitute Balloon Indebtedness or Balloon Indebtedness and Variable Rate Indebtedness or if Bonds then proposed to be issued would constitute Balloon Indebtedness or Balloon Indebtedness and Variable Rate Indebtedness, then, for purposes of determining Maximum Annual Debt Service, such amounts as constitute Balloon Indebtedness shall be treated as if the principal amount of such Bonds were to be amortized from the date of their original issuance in substantially equal annual installments of principal and interest over a term of 25 years; the interest rate used for such computation shall be the rate quoted in The Bond Buyer - 25 Revenue Bond Index for the last week of the month preceding the date of calculation, as published in The Bond Buyer, or if that index is no longer published, another similar index selected by the City, or if the City fails to select a replacement index, an interest rate equal to 80% of the yield for outstanding United States Treasury bonds having an equivalent maturity as the Bonds on the date of issuance, or if there are no such Treasury bonds having equivalent maturities, 80% of the lowest prevailing prime rate of any of the five largest commercial banks in the United States ranked by assets;

(iii) if any Outstanding Bonds constitute Tender Indebtedness or if Bonds then proposed to be issued would constitute Tender Indebtedness, then for purposes of determining the amounts of principal and interest due in any Fiscal Year on such Bonds, the options or obligations of the owners of such Bonds to tender the same for purchase or payment prior to their stated maturity or maturities shall be treated as a principal maturity occurring on the first date on which owners of such Bonds may or are required to tender such Bonds except that any such option or obligation to tender Bonds shall be ignored and not treated as a principal maturity, if (1) such Bonds are rated in one of the two highest long-term rating categories (without reference to gradations such as "plus" or "minus") by Moody's and by S&P or such Bonds are rated in the highest short-term, note or commercial paper rating categories by Moody's and by S&P and (2) the obligation, if any, the City may have under a Letter of Credit Agreement with respect to such Bonds, other than its obligations on such Bonds, shall either be subordinated to the obligation of the City on the Bonds or be incurred under the conditions and meeting the tests for the issuance of Additional Bonds set forth herein.

(iv) if any Outstanding Bonds constitute Variable Rate Indebtedness, the interest rate on such Bonds shall be assumed to be 110% of the greater of (a) the daily average interest rate on such Bonds during the 12 months ending with the month preceding the

date of calculation, or such shorter period that such Bonds shall have been Outstanding, or (b) the rate of interest on such Bonds on the date of calculation;

(v) if Bonds proposed to be issued will be Variable Rate Indebtedness, then such Bonds shall be assumed to bear interest at the rate quoted in The Bond Buyer - 25 Revenue Bond Index for the last week of the month preceding the date of sale of such additional Bonds, as published in The Bond Buyer, or if that index is no longer published, another similar index selected by the City, or if the City fails to select a replacement index, an interest rate equal to 80% of the yield for outstanding United States Treasury bonds having an equivalent maturity as the additional Bonds proposed to be issued, or if there are no such Treasury bonds having equivalent maturities, 80% of the lowest prevailing prime rate of the five largest commercial banks in the United States ranked by assets;

(vi) if moneys or Federal Securities or general obligation bonds of the State of California have been deposited with and are held by the Fiscal Agent or another fiduciary to be used to pay principal and/or interest on specified Bonds, then the principal and/or interest to be paid from such moneys or Federal Securities or general obligation bonds of the State of California or from the earnings thereon shall be disregarded and not included in calculating Maximum Annual Debt Service.

Mayor

The term "Mayor" means the Mayor of the City.

Minimum Sinking Fund Account Payments

The term "Minimum Sinking Fund Account Payments" means the aggregate amounts required by this Resolution and any subsequent Supplemental Resolution or Supplemental Resolutions to be deposited in Sinking Fund Accounts for the payment of Term Bonds.

Moody's

The term "Moody's" means Moody's Investors Service, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Delaware, and its successors and assigns, except that if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, then the term "Moody's" shall be deemed to refer to any other nationally recognized securities rating agency selected by the City and approved by the Fiscal Agent.

Municipal Bond Insurer

The term "Municipal Bond Insurer" means any insurance company or companies which has or have issued a policy of municipal bond insurance insuring payment of the

principal of and interest on any of the Bonds of any Series or a Bond Reserve Fund Policy and are so designated as such in this Resolution or a Supplemental Resolution.

Net Revenues

The term "Net Revenues" means all of the Revenues, less all Maintenance and Operation Costs of the Enterprise (but not including such Maintenance and Operation Costs as are scheduled to be paid by the City from moneys other than Revenues, such moneys to be clearly available for such purpose), and less moneys required to be paid to the State of California pursuant to the State Loans. The term "Pledged Revenues" shall mean Net Revenues.

Nominee

The term "Nominee" means initially, Cede & Co., as the nominee of the Depository, as determined from time to time pursuant to Section 2.09 hereof.

Opinion of Counsel

The term "Opinion of Counsel" means a written opinion of counsel (who may be counsel for the City) retained by the City and who is acceptable to the Fiscal Agent. If and to the extent required by the provisions of Section 1.03, each Opinion of Counsel shall include the statements provided for in Section 1.03.

Outstanding

The term "Outstanding," when used as of any particular time with reference to Bonds, means (subject to the provisions of Section 9.03) all Bonds theretofore executed, issued and delivered by the City under this Resolution except --

(1) Bonds theretofore cancelled by the Fiscal Agent or surrendered to the Fiscal Agent for cancellation;

(2) Bonds for the payment or redemption of which funds or securities in the necessary amount (as set forth in Section 10.01) shall have theretofore been deposited with a fiduciary (whether upon or prior to the maturity or redemption date of such Bonds); provided that, if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been given as in Article IV provided or provision satisfactory to the Fiscal Agent shall have been made for the giving of such notice; and

(3) Bonds in lieu of or in substitution for which other Bonds shall have been executed, issued and delivered by the City pursuant to Section 2.08.

For purposes of this definition and within the meaning of Article X of this Resolution, Bonds the principal of or interest on which has been paid by a Municipal Bond Insurer shall not be deemed paid by or on behalf of the City, shall not be defeased and shall remain Outstanding under this Resolution until paid by the City.

Participants

The term "Participants" shall mean those broker-dealers, banks and other financial institutions from time to time for which the Depository holds Book-Entry Bonds as securities depository.

Payment Date

The term "Payment Date" means any interest, or interest and principal, payment date on which payment of the principal of or interest on the Bonds is due or on which any Term Bonds are required to be redeemed from any Minimum Sinking Fund Account Payments.

Permitted Investments

The term "Permitted Investments" means any of the following:

(1) United States Treasury notes, bonds, bills, or certificates of indebtedness, or obligations for which the faith and credit of the United States of America are pledged for the payment of principal and interest (including obligations issued or held in book-entry form on the books of the Department of the Treasury of the United States of America and securities which represent an undivided interest in such direct obligations), and also any securities now or hereafter authorized, both the principal of and interest on which is guaranteed directly by the full faith and credit of the United States of America;

(2) Bonds, consolidated bonds, collateral trust debentures, consolidated debentures or other obligations issued by federal land banks or federal intermediate credit banks established under the Federal Farm Loan Act, as amended; debentures and consolidated debentures issued by the Central Bank for Cooperatives and banks for cooperatives established under the Farm Credit Act of 1933, as amended; bonds or debentures of the Federal Home Loan Bank Board established under the Federal Home Loan Bank Act and bonds of any federal home loan bank established under said act; bonds, debentures, participation certificates or other obligations of the Government National Mortgage Association or the Federal National Mortgage Association established under the National Housing Act, as amended; and also any securities now or hereafter authorized, both the principal of and interest on which is guaranteed indirectly by the full faith and credit of the United States of America;

(3) Time certificates of deposit or negotiable certificates of deposit issued by a state or nationally chartered bank or trust company, including the Fiscal Agent, or a state or federal savings and loan association, provided that such certificates of deposit shall be

(i) continuously and fully insured by the Federal Deposit Insurance Corporation or (ii) issued by any bank or trust company organized under the laws of any state of the United States, or any national banking association (including the Fiscal Agent), having a combined capital and surplus of at least $100,000,000, and a rating of "A" or higher by Moody's and S&P, and such certificates shall have maturities of six months or less, or (iii) continuously and fully secured by such securities as are described in clauses (1) or (2) above, which securities shall have a market value (exclusive of accrued interest) at all times at least equal to the principal amount of such certificates of deposit;

(4) Bankers' acceptances which are issued by a bank or trust company organized under the laws of any state of the United States or any national banking association (including the Fiscal Agent) rated "A" or higher by Moody's and S&P; provided, that such banker's acceptances may not exceed 270 days' maturity;

(5) Any repurchase agreement with any bank or trust company organized under the laws of any state of the United States or any national banking association (including the Fiscal Agent) or government bond dealer reporting to, trading with and recognized as a primary dealer by, the Federal Reserve Bank of New York, which agreement is secured by any one or more of the securities described in clauses (1) or (2) above, provided the underlying securities are required by the repurchase agreement to be held by any such bank, trust company or primary dealer having a combined capital and surplus of at least $100,000,000 and being independent of the issuer of such repurchase agreement, and provided the securities are continuously maintained at a market value of not less than the amount so invested;

(6) Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided by Moody's and S&P, which commercial paper is limited to issuing corporations that are organized and operating within the United States of America and that have total assets in excess of five hundred million dollars ($500,000,000) and that have an "A" or higher rating for the issuer's debentures, other than commercial paper, as provided by Moody's and S&P; provided that purchases of eligible commercial paper may not exceed one hundred eighty (180) days' maturity nor represent more than ten percent (10%) of the outstanding commercial paper of an issuer corporation;

(7) Bonds, notes, warrants or other evidence of indebtedness of any of the states of the United States or of any political subdivision or public agency thereof which are rated in one of the two highest short-term or long-term rating categories by Moody's and S&P;

(8) Any investment agreement with (i) any bank or trust company organized under the laws of any state of the United States of America or any national banking association (including the Fiscal Agent) or government bond dealer reporting to, trading with and recognized as a primary dealer by, the Federal Reserve Bank of New York, having a combined capital and surplus of at least $100,000,000, or (ii) any corporation that is organized and operating within the United States of America and that has total assets in

excess of five hundred million dollars ($500,000,000) and that has an "A" or higher rating for its debt, other than commercial paper, as provided by Moody's and S&P;

(9) Government money market portfolios or money market funds restricted to obligations issued or guaranteed as to payment of principal and interest by the full faith and credit of the United States of America, which portfolios shall have a rating at least equal to the highest then existing rating on the Bonds given by S&P and Moody's.

Policy Costs

The term "Policy Costs" means the amounts owing to a Reserve Provider, including the principal amount of any draw on a Bond Reserve Fund Policy, interest thereon and reasonable expenses incurred by the Reserve Provider in enforcing payment of Policy Costs, as more fully set forth in the agreement pursuant to which such Bond Reserve Fund Policy is issued.

Prior Bonds

The term "Prior Bonds" means the bonds of the City as defined in the preamble of this Resolution.

Project

The term "Project" means any additions, enlargements, betterments, extensions and other improvements to or related to, and the equipping of, the Enterprise, including, without limitation, the acquisition of land therefor.

Proportionate Basis

The term "Proportionate Basis," when used with respect to the redemption of Bonds, means that the amount of Bonds of each maturity to be redeemed shall be determined as nearly as practicable by multiplying the total amount of funds available for redemption by the ratio which the amount of Bond Obligation of Bonds of such maturity bears to the amount of all Bond Obligation of Bonds to be redeemed, provided that if the amount available for redemption of Bonds of any maturity is insufficient to redeem a multiple of $5,000 principal amount or Accreted Value payable at maturity, such amount shall be applied to the redemption of the highest possible integral multiple (if any) of $5,000 principal amount or Accreted Value payable at maturity. For purposes of the foregoing, Term Bonds shall be deemed to mature in the years and in the amounts of the Minimum Sinking Fund Account Payments and Capital Appreciation Bonds and Current Interest Bonds maturing or subject to Minimum Sinking Fund Account Payments in the same year shall be treated as separate maturities. When used with respect to the payment or purchase of Bonds, "Proportionate Basis" shall have the same meaning set forth above except that "pay" or "purchase" shall be

substituted for "redeem" or "redemption" and "paid" or "purchased" shall be substituted for "redeemed."

Qualified Bank

The term "Qualified Bank" means a state or national bank or trust company or savings and loan association or a foreign bank with a domestic branch or agency which is organized and in good standing under the laws of the United States or any state thereof or any foreign country, which has a capital and surplus of $25,000,000 or more and which has a short term debt rating of the highest ranking or of the highest letter and numerical rating as provided by Moody's or by S&P.

Qualified Independent Consultant

The term "Qualified Independent Consultant" means a person or a firm who or which engages in the business of advising the management of public agencies concerning the operation and financing of public utilities, including municipal sewage treatment and disposal systems, and also including advice and consultation generally concerning the use and operation of public utilities, including municipal sewage treatment and disposal systems, and which person or firm, by reason of his or its knowledge and experience, has acquired a reputation as a recognized consultant. Such Qualified Independent Consultant may include a person or firm rendering professional engineering or accounting services in addition to his or its occupation as a public utility consultant and may include any person or firm regularly employed by the City as a consultant to the City.

Rate Stabilization Fund

The term "Rate Stabilization Fund" means the fund of that name established pursuant to Section 5.02 hereof.

Rebate Certificate

The term "Rebate Certificate" means the Rebate Certificate to be delivered by the City at the time of issuance and delivery of the Series 1988A Bonds, as the same may be amended or supplemented in accordance with its terms.

Rebate Fund

The term "Rebate Fund" means the fund designated the "Series 1988A Bond Rebate Fund" established pursuant to Section 6.17(a).

Repair and Replacement Fund

The term "Repair and Replacement Fund" means the fund of that name established pursuant to Section 5.02 hereof.

Required Reserve

The term "Required Reserve" means the aggregate amount which is equal to the sum of Average Annual Debt Service on all Bonds of each Series then Outstanding; provided, however, that such Required Reserve or a portion thereof may be provided by one or more Bond Reserve Fund Policies.

Reserve Account

The term "Reserve Account" means the Series 1988A Reserve Account established pursuant to Section 5.02(c) and each account established in the Bond Reserve Fund with respect to each Series of Bonds issued hereunder.

Reserve Provider

The term "Reserve Provider" means the issuer of a Bond Reserve Fund Policy.

Resolution

The term "Resolution" means this Resolution, adopted by the City under the Law, as originally adopted or as it may from time to time be supplemented or amended by any Supplemental Resolution adopted pursuant to the provisions hereof.

Revenues

The term "Revenues" means all gross revenues of the Enterprise received after the issuance of the Series 1988A Bonds, including without limitation all charges received for and all other income and receipts derived by the City from the operation of the Enterprise, or arising from the Enterprise, including without limitation connection and installation charges, but excluding --

(1) any money received by or for the account of the City from the levy or collection of taxes,

(2) refundable deposits made by customers of the Enterprise to establish credit,

(3) moneys received from insurance proceeds or the sale of or upon the taking by or under the threat of eminent domain of all or any part of the Enterprise (which moneys shall be received and disposed of pursuant to Sections 6.03 and 6.12, as the case may be),

(4) proceeds from Bonds issued by the City or proceeds from loans obtained by the City,

(5) moneys or securities received by the City as gifts or grants, the use of which is restricted by the donor or grantor, and

(6) industrial cost recovery charges levied pursuant to Section 204(b)(1) of the Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, or federal laws or regulations of similar effect hereafter adopted, and Section 143 of Article 4.2, Chapter X, Part II, San Francisco Municipal Code (as amended by Ordinance No. 198-77 of the City and County of San Francisco) or provisions of ordinances of the City hereafter adopted pursuant to any such federal laws or regulations.

The term "Revenues" also includes all interest, profits or other income derived from the deposit or investment of any moneys in any fund or account established hereunder (excluding the Rebate Fund and any escrow fund pledged for the payment of defeased bonds).

Sales Certificate

The term "Sales Certificate" means the Sales Certificate to be executed and delivered by the Chief Administrative Officer of the City pursuant to Section 2.01 hereof.

Securities Depositories

The term "Securities Depositories" means the following: The Depository Trust Company, 711 Stewart Avenue, Garden City, New York 11530, Fax-516-227-4039 or 4190; Midwest Securities Trust Company, Capital Structures-Call Notification, 440 South LaSalle Street, Chicago, Illinois 60605, Fax-312-663-2343; Philadelphia Depository Trust Company, Reorganization Division, 1900 Market Street, Philadelphia, Pennsylvania 19103, Attention: Bond Department, Dex-215-496-5058; or, in accordance with then-current guidelines of the Securities and Exchange Commission, to such other addresses and/or such other securities depositories, or no such depositories, as the City may designate in a Written Request of the City delivered to the Fiscal Agent.

Series

The term "Series" means the initial series of Bonds executed, authenticated and delivered on the date of initial issuance of the Bonds and identified pursuant to this Resolution as the Series 1988A Bonds, any additional series of Bonds issued pursuant to Sections 3.04, 3.05 and 3.06, and any Additional Bonds issued pursuant to a Supplemental Resolution and identified as a separate Series of Bonds.

Series 1988B Call Protection Date

The term "Series 1988B Call Protection Date" means the date prior to which the Series 1988B Bonds are not subject to optional redemption, as set forth in the Series 1988B Sales Certificate.

Series 1988B Sales Certificate

The term "Series 1988B Sales Certificate" means the Series 1988B Sales Certificate to be executed and delivered by the Chief Administrative Officer of the City pursuant to Section 12.01 hereof.

Series 1991 Call Protection Date

The term "Series 1991 Call Protection Date" means the date prior to which the Series 1991 Bonds are not subject to optional redemption, as set forth in the Series 1991 Sales Certificate.

Series 1991 Sales Certificate

The term "Series 1991 Sales Certificate" means the Series 1991 Sales Certificate to be executed and delivered by the Chief Administrative Officer of the City pursuant to Section 13.01 hereof.

Series 1992 Tax Certificate

The term "Series 1992 Tax Certificate" means the Tax Certificate of the City, as may be amended from time to time, executed in connection with the Series 1992 Bonds.

Series 1992 Call Protection Date

The term "Series 1992 Call Protection Date" means the date prior to which the Series 1992 Bonds are not subject to optional redemption, as set forth in the Series 1992 Sales Certificate.

Series 1992 Sales Certificate

The term "Series 1992 Sales Certificate" means the Series 1992 Sales Certificate to be executed and delivered by the Chief Administrative Officer of the City pursuant to Section 14.01 hereof.

Sinking Fund Accounts

The term "Sinking Fund Accounts" means the Series 1988A Sinking Fund Account established pursuant to Section 5.02 and any special account or accounts established by any Supplemental Resolution or Resolutions in the Principal Fund (established pursuant to Section 5.02) for the payment of Term Bonds.

Sinking Fund Payment Date

The term "Sinking Fund Payment Date" means any date on which Minimum Sinking Fund Account Payments are scheduled to be paid with respect to the Series 1988A Term Bonds, as set forth in the Sales Certificate.

S&P

The term "S&P" means Standard & Poor's Corporation, a corporation duly organized and existing under and by virtue of the laws of the State of New York, and its successors and assigns, except that if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, then the term "S&P" shall be deemed to refer to any other nationally recognized securities rating agency selected by the City and approved by the Fiscal Agent.

State Loans

The term "State Loans" means those loan agreements heretofore or hereafter entered into between the City and the State of California and any board, department or agency thereof to finance additions, betterments, extensions, repairs, renewals or replacements to the Enterprise which are payable from Revenues and which by their terms or by operation of law are not subordinated to the Bonds.

Supplemental Resolution

The term "Supplemental Resolution" means any resolution amendatory of or supplemental to this Resolution; but only if and to the extent that such Supplemental Resolution is specifically authorized hereunder.

Surplus Revenue Fund

The term "Surplus Revenue Fund" means the fund of that name established pursuant to Section 5.02 hereof.

Tender Indebtedness

The term "Tender Indebtedness" means any Bonds or portions of Bonds a feature of which is an option, on the part of the Bondowners, or an obligation, under the terms of such

Bonds, to tender all or a portion of such Bonds to the City, the Fiscal Agent or other fiduciary or agent for payment or purchase and requiring that such Bonds or portions of Bonds be purchased if properly presented.

Treasurer

The term "Treasurer" means the Treasurer of the City and includes any deputy acting for the Treasurer.

Variable Rate Indebtedness

The term "Variable Rate Indebtedness" means any portion of indebtedness the interest rate on which is not fixed at the time of incurrence of such indebtedness, and has not at some subsequent date been fixed, at a single numerical rate for the entire term of the indebtedness.

Working Capital Fund

The term "Working Capital Fund" means the fund of that name established pursuant to Section 5.02 hereof.

Written Request of the City, Written Requisition of the City, Written Statement of the City

The terms "Written Request of the City," "Written Requisition of the City" and "Written Statement of the City" mean, respectively, a written request, requisition or statement signed by or on behalf of the City by the Mayor, the Controller, the Chief Administrative Officer of the City or by any person (whether or not an officer of the City) who is specifically authorized by the Charter or by resolution of the City (which resolution shall be provided to the Fiscal Agent) to sign or execute such a document on its behalf.

SECTION 1.02. Equal Security. In consideration of the acceptance of the Bonds by those who shall hold the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the City, the Fiscal Agent and the Owners from time to time of the Bonds to secure the full and final payment of the interest and principal on the Bonds, subject to the agreements, conditions, covenants and terms contained herein; and the covenants and agreements herein set forth to be performed on behalf of the City or the Fiscal Agent shall be for the equal and proportionate benefit, security and protection of all Owners of the Bonds without preference, priority or distinction as to security or otherwise of any of the Bonds over any of the others by reason of the Series, number or date thereof or the time of issue, sale, execution or delivery thereof, or otherwise for any cause whatsoever, except as expressly provided therein or herein.

SECTION 1.03. Content of Certificates and Opinions. Every certificate or opinion with respect to compliance with a condition or covenant provided for in this Resolution, including each Certificate of the City, shall include (a) a statement that the person or persons making or giving such certificate or opinion have read such covenant or condition and the

definitions herein relating thereto; (b) a brief statement as to the nature and scope of the examination or investigation upon which the statements or opinions contained in such certificate or opinion are based; (c) a statement that, in the opinion of the signers, they have made or caused to be made such examination or investigation as is necessary to enable them to express an informed opinion as to whether or not such covenant or condition has been complied with; and (d) a statement as to whether, in the opinion of the signers, such condition or covenant has been complied with.

Any such certificate or opinion made or given by an officer of the City may be based, insofar as it relates to legal, accounting or Enterprise matters, upon a certificate or opinion of or representations by counsel, accountants or consultants, unless such officer knows, or in the exercise of reasonable care should have known, that the certificate or opinion or representations with respect to the matters upon which his certificate or opinion may be based, as aforesaid, are erroneous. Any such certificate or opinion made or given by counsel, accountants or consultants may be based, insofar as it relates to factual matters, information with respect to which is in the possession of the City, upon the certificate or opinion of or representations by an officer or officers of the City, unless such counsel, accountant or consultant knows, or in the exercise of reasonable care should have known, that the certificate or opinion or representations with respect to the matters upon which his opinion may be based as aforesaid are erroneous.

ARTICLE II

THE BONDS

SECTION 2.01. Authorization; Terms of Series 1988A Bonds. (a) Bonds may be issued hereunder from time to time in order to obtain funds for the purposes authorized herein. The Bonds shall be issued under the Charter and the Law for the purpose of financing or refinancing the acquisition, construction, financing, improvement and development of the Enterprise. The aggregate principal amount of Bonds which may be issued hereunder is not limited (subject, however, to the right of the City, which is hereby reserved, to limit or restrict the aggregate principal amount of Bonds which may at any time be issued and Outstanding hereunder) and consists or may consist of one or more Series of varying denominations, dates, maturities, interest rates and other provisions, all issued and to be issued pursuant to this Resolution and the Law, subject to the limitations contained in Sections 3.04, 3.05, 3.06 and 3.07. This Resolution constitutes a continuing agreement with the Owners of all of the Bonds issued or to be issued hereunder and then Outstanding to secure the full and final payment of the principal of and the premiums, if any, and the interest on all Bonds which may from time to time be executed and delivered hereunder, subject to the covenants, agreements, provisions and conditions herein contained. The Bonds are designated generally as the "City and County of San Francisco General Purpose Sewer Revenue Bonds" (or the "City and County of San Francisco Sewer Revenue Bonds"), each Series thereof to bear such additional designation as may be necessary or appropriate to distinguish such Series from every other Series of Bonds. The Bonds may be issued in such

Series as from time to time shall be established and authorized by the City, subject to the provisions and conditions herein contained.

(b) An initial Series of Bonds is hereby created and such Bonds are designated as the "City and County of San Francisco General Purpose Sewer Revenue Bonds, Series 1988A." The aggregate principal amount of Series 1988A Bonds which may be issued and Outstanding under this Resolution shall not exceed one hundred million dollars ($100,000,000), except as may be otherwise provided in Section 2.08. The Series 1988A Bonds shall be of the tenor known as Current Interest Bonds. The Series 1988A Bonds shall be in such aggregate principal amount, be dated and shall bear interest, at such rate or rates (payable on such dates), shall mature and become payable as to principal on the Payment Dates in the amounts and shall be subject to Minimum Sinking Fund Account Payments as set forth in the Sales Certificate to be executed and delivered concurrently with the public sale of the Series 1988A Bonds. In addition to the provisions required, pursuant to the terms of this Resolution, to be specified in the Sales Certificate, the Chief Administrative Officer of the City, on behalf of the City, may set forth in the Sales Certificate such provisions as he may deem necessary or desirable and consistent with the purposes of this Resolution as set forth in the recitals hereto, including provisions (i) adding additional covenants and agreements to be observed by the City, (ii) curing, correcting, amending or supplementing any ambiguous, defective or ineffective provision contained in this Resolution or in regard to questions arising hereunder, or (iii) amending or supplementing any provision contained herein to the extent necessary to obtain a Bond Reserve Fund Policy, to obtain municipal bond insurance or a letter of credit or surety bond from a Credit Provider, to obtain a rating for the Series 1988A Bonds, or to provide for the issuance of the Series 1988A Bonds in book-entry form. The Chief Administrative Officer of the City is hereby instructed to execute and deliver the Sales Certificate and, upon execution and delivery thereof, the Sales Certificate shall be incorporated herein by reference. Notwithstanding the foregoing, the Sales Certificate shall not specify an interest rate on any Series 1988A Bond in excess of twelve percent (12%) per annum nor a maturity date for any Series 1988A Bond after October 1, 2025. The Series 1988A Bonds shall be issued as fully registered bonds in the denomination of $5,000, or any integral multiple of $5,000.

The principal of and premium, if any, on the Series 1988A Bonds shall be payable in lawful money of the United States of America to the Owner thereof, upon the surrender thereof at the principal corporate trust office of the Fiscal Agent, in San Francisco, California. The interest on the Series 1988A Bonds shall be payable in like lawful money to the person whose name appears on the bond registration books of the Fiscal Agent as the Owner thereof as of the close of business on the 15th day of the month immediately preceding an Interest Payment Date, whether or not such day is a Business Day, such interest to be paid by check mailed to such Owner at such address as appears on such registration books or at such address as he may have filed with the Fiscal Agent for that purpose.

Each Series 1988A Bond shall bear interest from the Interest Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Interest Payment Date to such

Interest Payment Date, inclusive, in which event it shall bear interest from such Interest Payment Date, or unless it is authenticated on or before the fifteenth day of the month preceding the first Interest Payment Date, in which event it shall bear interest from its Issue Date; provided, however, that if, at the time of authentication of any Series 1988A Bond, interest is in default on Outstanding Bonds, such Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment on the Outstanding Bonds and shall be payable to the Owners thereof of record as of a special date as shall be established by the Fiscal Agent following such default.

Only such of the Series 1988A Bonds as shall bear thereon a certificate of authentication in the form herein recited, executed by the Fiscal Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Fiscal Agent shall be conclusive evidence that the Series 1988A Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

The Series 1988A Bonds shall be subject to redemption as provided in Article IV.

The Fiscal Agent shall assign each Series 1988A Bond authenticated and registered by it a distinctive letter, or number, or letter and number, and shall maintain a record thereof which shall be available to the City for inspection.

(c) The City has reviewed all proceedings heretofore taken relative to the authorization of the Series 1988A Bonds and has found, as a result of such review, that all conditions, things and acts required by law to exist, happen or be performed precedent to and in the issuance of the Series 1988A Bonds do exist, have happened and have been performed in due time, form and manner as required by law, and the City is authorized, pursuant to each and every requirement of law, to issue the Series 1988A Bonds in the manner and form provided in this Resolution.

SECTION 2.02. Form of Series 1988A Bonds. The Series 1988A Bonds and the Fiscal Agent's certificates of authentication and registration and the forms of assignment to appear thereon shall be in substantially the forms, respectively, attached hereto as Exhibit A, with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution and the Sales Certificate, including placement of a portion of the form of the Bond on the reverse side thereof (provided that on the face of each Bond, at the place where the portion on the reverse side appears in the form set forth below, there shall be inserted the following sentence: "THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE SIDE HEREOF AND SUCH CONTINUED TERMS AND PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.").

SECTION 2.03. Execution of Bonds. The Bonds shall be executed on behalf of the City by the manual or facsimile signatures of the Mayor and the Treasurer and under the seal of the City attested by the manual or facsimile signature of the Clerk or one of his Deputies.

Such seal may be in the form of a facsimile of the City's seal and may be imprinted or impressed upon the Bonds. The Bonds shall then be delivered to the Fiscal Agent for authentication by it. In case any of the officers who shall have signed or attested any of the Bonds shall cease to be such officer or officers before the Bonds so signed or attested shall have been authenticated or delivered by the Fiscal Agent or issued by the City, such Bonds may nevertheless be authenticated, delivered and issued and, upon such authentication, delivery and issue, shall be as binding upon the City as though those who signed and attested the same had continued to be such officers, and also any Bond may be signed and attested on behalf of the City by such persons as on the actual date of the execution of such Bond shall be the Mayor or the Treasurer or the Clerk although at the nominal date of such Bond any such person shall not have been such officer.

Except as may be provided in any Supplemental Resolution, only such of the Bonds as shall bear thereon a certificate of authentication and registration in the form hereinbefore recited, executed by the Fiscal Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Fiscal Agent shall be conclusive evidence that the Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

SECTION 2.04. Transfer of Bonds. Any Bond may, in accordance with its terms, be transferred, upon the books required to be kept pursuant to the provisions of Section 2.06, by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of such Bond for cancellation, accompanied by delivery of a written instrument of transfer in a form approved by the Fiscal Agent duly executed.

Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Fiscal Agent shall authenticate and deliver a new Bond or Bonds of the same Series, tenor and maturity, for a like aggregate principal amount. The Fiscal Agent shall require the payment by any Bondowner requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer.

No transfer of Current Interest Bonds shall be required to be made by the Fiscal Agent after the fifteenth day of the month next preceding each interest payment date, or, as to any Bonds called for redemption at any time after such Bonds have been selected for redemption.

SECTION 2.05. Exchange of Bonds. Bonds may be exchanged at the principal corporate trust office of the Fiscal Agent in San Francisco, California, for a like aggregate principal amount of Bonds of other authorized denominations of the same Series, tenor and maturity. The Fiscal Agent shall require the payment by the Bondowner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange.

No exchange of Current Interest Bonds shall be required to be made by the Fiscal Agent after the fifteenth day of the month next preceding each interest payment date, or, as

to any Bonds called for redemption at any time after such Bonds have been selected for redemption.

SECTION 2.06. Bond Register. The Fiscal Agent will keep or cause to be kept, at the principal corporate trust office of the Fiscal Agent in San Francisco, California, sufficient books for the registration and transfer of the Bonds, which shall during regular business hours of the Fiscal Agent be open to inspection by the City; and, upon presentation for such purpose, the Fiscal Agent shall, under such reasonable regulations as the Fiscal Agent may prescribe, register or transfer or cause to be registered or transferred, on said books, Bonds as hereinbefore provided.

SECTION 2.07. Temporary Bonds. The Bonds may be initially issued in temporary form exchangeable for definitive Bonds when ready for delivery. The temporary Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the City, shall be in registered form without coupons and may contain such reference to any of the provisions of this Resolution as may be appropriate. Every temporary Bond shall be executed by the City and be authenticated by the Fiscal Agent upon the same conditions and in substantially the same manner as the definitive fully registered Bonds. If the City issues temporary Bonds it will execute and furnish definitive Bonds without delay, and thereupon the temporary Bonds may be surrendered, for cancellation, in exchange therefor at the principal corporate trust office of the Fiscal Agent in San Francisco, California, and the Fiscal Agent shall deliver in exchange for such temporary Bonds definitive Bonds of an equal aggregate principal amount of Bonds of the same Series, tenor and maturity or maturities. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this Resolution as definitive Bonds executed and delivered hereunder.

SECTION 2.08. Bonds Mutilated, Lost, Destroyed or Stolen. If any Bond shall become mutilated, the City, at the expense of the Owner of said Bond, shall execute, and the Fiscal Agent shall thereupon authenticate and deliver, a new Bond of like tenor and principal amount in exchange and substitution for the Bond so mutilated, but only upon surrender to the Fiscal Agent of the Bond so mutilated. Every mutilated Bond so surrendered to the Fiscal Agent shall be cancelled by it and delivered to, or upon the order of, the City. If any Bond shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the City and the Fiscal Agent and, if such evidence be satisfactory to both and indemnity satisfactory to them shall be given, the City, at the expense of the Owner, shall execute, and the Fiscal Agent shall thereupon authenticate and deliver a new Bond in lieu of and in substitution for the Bond so lost, destroyed or stolen. The City may require payment of a sum not exceeding the actual cost of preparing each new Bond issued under this Section and of the expenses which may be incurred by the City and the Fiscal Agent in the premises. Any Bond issued under the provisions of this Section in exchange for any Bond mutilated or in lieu of any Bond alleged to be lost, destroyed or stolen shall constitute an original additional contractual obligation on the part of the City, whether or not the Bond so mutilated or so alleged to be lost, destroyed or stolen be at any time enforceable by anyone, and shall be equally and proportionately entitled to the benefits of this Resolution with all other Bonds secured by this Resolution. Neither the City nor the Fiscal Agent shall be required to treat

both the original Bond and any duplicate Bond as being Outstanding for the purpose of determining the principal amount of Bonds which may be issued hereunder or for the purpose of determining any percentage of Bonds Outstanding hereunder, but both the original and duplicate Bond shall be treated as one and the same.

SECTION 2.09. Book-Entry System. (a) Prior to the issuance of any Series of Bonds issued hereunder, the City may provide that such Series of Bonds shall be initially issued as Book-Entry Bonds, and in such event, each maturity of such Series shall be in the form of a separate single fully registered Bond (which may be typewritten). Upon initial issuance, the ownership of each such Bond shall be registered in the bond register in the name of the Nominee, as nominee of the Depository.

With respect to Book-Entry Bonds, the City and the Fiscal Agent shall have no responsibility or obligation to any Participant or to any Person on behalf of which such a Participant holds an interest in such Book-Entry Bonds. Without limiting the immediately preceding sentence, the City and the Fiscal Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in Book-Entry Bonds, (ii) the delivery to any Participant or any other person, other than an Owner as shown in the bond register, of any notice with respect to Book-Entry Bonds, including any notice of redemption, (iii) the selection by the Depository and its Participants of the beneficial interests in Book-Entry Bonds to be redeemed in the event the City redeems such in part, or (iv) the payment of any Participant or any other person, other than an Owner as shown in the bond register, of any amount with respect to principal of, premium, if any, or interest on Book-Entry Bonds. The City and the Fiscal Agent may treat and consider the person in whose name each Book-Entry Bond is registered in the bond register as the absolute Owner of such Book-Entry Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Fiscal Agent shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Owner, as shown in the bond register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the bond register, shall receive a Bond evidencing the obligation of the City to make payments of principal, premium, if any, and interest pursuant to this Resolution. Upon delivery by the Depository to the Owner, Fiscal Agent and City of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to record dates, the word Nominee in this Resolution shall refer to such nominee of the Depository.

(b) In order to qualify the Book-Entry Bonds for the Depository's book-entry system, the City and the Fiscal Agent shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any

way impose upon the City or the Fiscal Agent any obligation whatsoever with respect to persons having interests in such Book-Entry Bonds other than the Owners, as shown on the bond register. By executing a Letter of Representations, the Fiscal Agent shall agree to take all action necessary for all representations of the Fiscal Agent in such Letter of Representations to at all times be complied with. In addition to the execution and delivery of a Letter of Representations, the City and the Fiscal Agent shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify Book-Entry Bonds for the Depository's book-entry program.

(c) In the event (i) the Depository determines not to continue to act as securities depository for any Series of Book-Entry Bonds, or (ii) the Depository shall no longer so act and gives notice to the Fiscal Agent of such determination, then the City will discontinue the book-entry system with the Depository. If the City determined to replace the Depository with another qualified securities depository, the City shall prepare or direct the preparation of a new single, separate, fully registered Bond for each of the maturities of such Book-Entry Bonds, registered in the name of such successor or substitute qualified securities depository or its nominee. If the City fails to identify another qualified securities depository to replace the Depository, then the Bonds shall no longer be restricted to being registered in such bond register in the name of the Nominee, but shall be registered in whatever name or names Owners transferring or exchanging such Bonds shall designate, in accordance with provisions of Sections 2.04 and 2.05 hereof.

(d) Notwithstanding any other provision of this Resolution to the contrary, so long as any Book-Entry Bond is registered in the name of the Nominee, all payments with respect to principal of, premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, as provided in the Letter of Representations or as otherwise instructed by the Depository.

ARTICLE III

ISSUANCE OF SERIES 1988A BONDS; ADDITIONAL SERIES OF BONDS

SECTION 3.01. Issuance of Series 1988A Bonds. At any time prior to December 1, 1989, the City may sell and execute and the Fiscal Agent may authenticate and, upon a Written Request or Certificate of the City, deliver the Series 1988A Bonds authorized to be issued hereunder.

SECTION 3.02. Application of Proceeds of Series 1988A Bonds. (a) The Treasurer shall set aside and deposit proceeds received from the sale of the Series 1988A Bonds in the following respective funds:

(1) The Treasurer shall deposit with the Fiscal Agent in the Interest Fund, to be established pursuant to Section 5.02, the amount of accrued interest received on the sale of, and any capitalized interest with respect to, the Series 1988A Bonds.

(2) The Treasurer shall deposit with the Fiscal Agent in the Bond Reserve Fund to be established pursuant to Section 5.02 the Required Reserve (in the form of Series 1988A Bond proceeds, in the form of a Bond Reserve Fund Policy, or in some combination of the two).

(3) The Treasurer shall set aside in the Construction Fund, established pursuant to Section 3.03 of this Resolution, the amount of the proceeds of the Series 1988A Bonds specified in the Sales Certificate.

(4) The Treasurer shall deposit with the Fiscal Agent the remainder of said proceeds in a separate fund to be known as the "Expenses Fund" which the Fiscal Agent hereby agrees to establish and maintain. The money in the Expenses Fund shall be used and disbursed in the manner provided herein for the purpose of paying all costs of issuance incidental to or connected with the issuance of the Series 1988A Bonds (or for making reimbursements to the City or any other person, firm or corporation for such costs theretofore paid by him or it). Any balance of money remaining in the Expenses Fund after the payment of all costs incidental to or connected with the issuance of the Series 1988A Bonds or within six months after issuance of the Series 1988A Bonds, whichever is earlier, shall be transferred by the Fiscal Agent to the Treasurer for deposit in the Construction Fund.

(b) Before any payment is made by the Fiscal Agent to pay said expenses of issuance from the Expenses Fund, the City shall cause to be filed with the Fiscal Agent a Written Requisition of the City showing with respect to each payment to be made--

(1) the item number of the payment;

(2) the name and address of the person to whom payment is due;

(3) the amount to be paid; and

(4) the purpose for which the obligation to be paid was incurred.

Each such Written Requisition shall state, and shall be sufficient evidence to the Fiscal Agent--

(y) that obligations in the stated amounts have been incurred by the City and that each item thereof is a proper charge; and

(z) that there has not been filed with or served upon the City notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to any of the persons named in such Written Requisition, which has not been released or will not be released simultaneously with the payment of such obligation.

Upon receipt of each such Written Requisition, the Fiscal Agent will pay the amounts set forth in such Written Requisition as directed by the terms thereof. The Fiscal Agent need not make any such payment if it has received notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys to be so paid, which has not been released or will not be released simultaneously with such payment.

When all of said costs of issuance have been paid, a Certificate of the City stating such fact shall be delivered to the Fiscal Agent by the City.

SECTION 3.03. Construction Fund. The City hereby covenants and agrees to maintain hereunder a separate fund known as the "Sewer Revenue Bond Construction Fund" (herein called the "Construction Fund") heretofore created. The Treasurer shall hold the amounts on deposit in the Construction Fund. Said fund shall be maintained and accounted for by the Controller so long as any moneys are on deposit in said Fund. Upon completion of the acquisition and construction of the Project, the City may direct the transfer of any remaining balance in the Construction Fund to the Revenue Fund.

The moneys in the Construction Fund shall be held by the Treasurer in trust and applied to the costs of acquisition, construction, expansion, improvement, financing and refinancing of the Project and the expenses incident thereto or connected therewith, including, if necessary, interest to the extent permitted by law, reimbursement to the City for expenses incurred in connection with the Enterprise, architectural, engineering and inspection fees and expenses, apparatus, equipment and furnishings for the Enterprise, testing and inspection, surveys, insurance premiums, losses during construction not insured against because of deductible amounts, the fees and expenses of the Fiscal Agent, expenses in connection with the preparation, issuance, sale and delivery of the Bonds, legal, accounting and consultant fees and expenses, and similar expenses.

The Treasurer shall pay out moneys from the Construction Fund only upon warrants drawn by the Controller in the manner provided by law. No withdrawals shall be made from the Construction Fund for any purpose not authorized by law.

SECTION 3.04. Issuance of Additional Series of Bonds -- General. In addition to the Series 1988A Bonds, the City may, subject to the requirements of the Law, by Supplemental Resolution establish one or more other Series of Bonds payable from Net Revenues on a parity with the Series 1988A Bonds and secured by a lien upon and pledge of Net Revenues equal to the lien and pledge securing the Series 1988A Bonds, and the City may issue and the Fiscal Agent may authenticate and deliver Bonds of any Series so established, in such principal amount and for such lawful purpose or purposes (including refunding of any Bonds issued hereunder and then Outstanding) as shall be determined by the City in said Supplemental Resolution, but only upon compliance by the City with the provisions of Section 3.06, and subject to the following specific conditions, which are hereby made conditions precedent to the issuance of any such additional Series of Bonds:

(a) The City shall not be in default under this Resolution or any Supplemental Resolution.

(b) The Supplemental Resolution providing for the issuance of such additional Series of Bonds shall require that the Bond Reserve Fund to be established pursuant to Section 5.02 be increased, if and to the extent necessary, forthwith upon the receipt of the proceeds of the sale of such additional Series of Bonds to an amount at least equal to the Required Reserve. Said deposit may be made from such proceeds or any other source, as provided in said Supplemental Resolution.

(c) The Bonds of such additional Series shall be payable as to principal either semiannually on April 1 and October 1 of each year in which principal falls due or annually on October 1 of each year in which principal falls due, provided that Term Bonds of any Series shall have a principal maturity date of October 1. The Bonds of such additional Series that are Current Interest Bonds shall be payable as to interest semiannually on April 1 and October 1 of each year excepting the first year, provided that the first installment of interest may be payable on either April 1 or October 1 and shall be for a period of not longer than twelve months and that the interest shall be payable thereafter semiannually on April 1 and October 1, and further provided that interest on any Bonds constituting Variable Rate Indebtedness or Tender Indebtedness may be payable on such Payment Dates as shall be specified in the Supplemental Resolution providing for the issuance of such Bonds.

(d) Fixed serial maturities or mandatory Minimum Sinking Fund Account Payments, or any combination thereof, shall be established in amounts sufficient to provide for the retirement of all of the Bonds of such additional Series on or before their respective maturity dates, unless such Bonds are Balloon Indebtedness.

(e) The aggregate principal amount of Bonds issued hereunder shall not exceed any limitation imposed by law or by any Supplemental Resolution.

(f) The representations and estimates set forth in the certificates and written reports required by Section 3.06(c)(1) can be made by the parties required to give such certificates and written reports.

(g) If then required by law, the issuance of such additional Series of Bonds shall have been approved by the qualified voters voting on a proposition to authorize the issuance of said Series of Bonds.

SECTION 3.05. Issuance of Additional Series of Bonds for Refunding. The City may, subject to the requirements of the Law, by Supplemental Resolution establish one or more other Series of Bonds payable from Net Revenues on a parity with the Series 1988A Bonds and secured by a lien upon and pledge of Net Revenues equal to the lien and pledge securing the Series 1988A Bonds, and the City may issue, and the Fiscal Agent may authenticate and deliver, Bonds of any Series so established, for the purpose of refunding any

Bonds issued hereunder and then Outstanding, but only upon compliance by the City with the provisions of Section 3.06, and subject to the following specific conditions, which are hereby made conditions precedent to the issuance of any such additional Series of Bonds:

(a) The Supplemental Resolution providing for the issuance of such additional Series of Bonds shall require that the Bond Reserve Fund to be established pursuant to Section 5.02 be increased, if necessary, forthwith upon the receipt of the proceeds of the sale of such additional Series of Bonds to an amount at least equal to the Required Reserve. Said deposit may be made from such proceeds or any other source, as provided in said Supplemental Resolution.

(b) The Bonds of such additional Series shall be payable as to principal either semiannually on April 1 and October 1 of each year in which principal falls due or annually on October 1 of each year in which principal falls due, provided that Term Bonds of any Series shall have a principal maturity date of October 1. The Bonds of such additional Series that are Current Interest Bonds shall be payable as to interest semiannually on April 1 and October 1 of each year excepting the first year, provided that the first installment of interest may be payable on either April 1 or October 1 and shall be for a period of not longer than twelve months and that the interest shall be payable thereafter semiannually on April 1 and October 1, and further provided that interest on any Bonds constituting Variable Rate Indebtedness or Tender Indebtedness may be payable on such Payment Dates as shall be specified in the Supplemental Resolution providing for the issuance of such Bonds.

(c) Fixed serial maturities or mandatory Minimum Sinking Fund Account Payments, or any combination thereof, shall be established in amounts sufficient to provide for the retirement of all of the Bonds of such additional Series on or before their respective maturity dates, unless such Bonds are Balloon Indebtedness.

(d) The aggregate principal amount of Bonds issued hereunder shall not exceed any limitation imposed by Law or by any Supplemental Resolution.

(e) The proceeds of the Bonds of such additional Series shall be used, together with any other available moneys, to refund (by defeasance, current refunding or crossover refunding) all or a portion of the Bonds then Outstanding, and the Average Annual Debt Service for the Bonds of such additional Series (during the period from their issuance to their last maturity date) shall be equal to or less than the Average Annual Debt Service on the Bonds to be refunded (during the period from the issuance of the additional Series to the last maturity date of the Bonds to be refunded).

(f) The statements set forth in the certificate required by Section 3.06(c)(2) can be made by the party required to give such certificate.

(g) If then required by law, the issuance of such additional Series of Bonds shall have been approved by the qualified voters voting on a proposition to authorize the issuance of said Series of Bonds.

SECTION 3.06. Proceedings for the Issuance of Additional Series of Bonds. Whenever the City shall determine to issue an additional Series of Bonds pursuant to Section 3.04 or 3.05, as the case may be, the City shall execute or adopt a Supplemental Resolution providing for the issuance of such additional Series of Bonds, specifying the maximum principal amount of Bonds of such Series and prescribing the terms and conditions of such additional Series of Bonds, including the terms and conditions of any Letter of Credit Agreement with respect to the Letter of Credit securing such additional Series of Bonds, if any.

Such Supplemental Resolution shall prescribe the form or forms of Bonds of such additional Series and, subject to the provisions of Section 3.04 or 3.05, as the case may be, shall provide for the distinctive designation, denominations, methods of execution and numbering, dating, maturity dates, interest rates, interest payment dates, provisions for redemption prior to maturity and methods and places of payment of principal and interest.

The City may by such Supplemental Resolution prescribe any other provisions respecting the Bonds of such Series not inconsistent with the terms of this Resolution, including registration, transfer and exchange provisions, provisions for the payment of principal and interest and sinking fund provisions.

Before such additional Series of Bonds shall be issued and delivered, the City shall file the following documents with the Fiscal Agent:

(a) An Opinion of Counsel setting forth (1) that such counsel has examined the Supplemental Resolution and found it to be in compliance with the requirements of this Resolution; (2) that the execution and delivery of the additional Series of Bonds have been sufficiently and duly authorized by the City; and (3) that said additional Series of Bonds, when duly executed by the City and, if required, authenticated and delivered by the Fiscal Agent, will be valid and binding special obligations of the City, payable from Net Revenues as provided herein.

(b) If such additional Series of Bonds are being issued pursuant to Section 3.04, a Certificate of the City that the requirement of Section 3.04(a) has been met.

(c) The required certificates and reports under subparagraph (1) or (2) below:

(1) If the additional Series of Bonds are being issued pursuant to Section 3.04, the following certificates:

(A) A Certificate of the City demonstrating that the City has complied with the requirements of Section 6.13 of this Resolution;

(B) If any portion of the proceeds of such Series of Bonds is to be used to finance construction, a certificate of the Consulting Engineers setting forth (i) the estimated date of completion for the portion of the Project for which such Series of Bonds is being issued and for any other uncompleted portion of the Project, and (ii) an estimate of the cost of construction of such portion of the Project and of any other uncompleted portion of the Project;

(C) A written report of a Qualified Independent Consultant setting forth for each of the next three Fiscal Years, or if any portion of the proceeds of such Series of Bonds is to be used to finance construction, the three Fiscal Years following the Fiscal Year in which the Consulting Engineers estimate such portion of the Project will be completed, estimates of (i) Revenues, (ii) Maintenance and Operation Costs of the Enterprise and (iii) Net Revenues;

(D) A Certificate of the City setting forth (i) the estimates of Net Revenues, as set forth in the written report of the Qualified Independent Consultant pursuant to paragraph (C) above, for each of such three Fiscal Years, (ii) the Annual Debt Service for each of such three Fiscal Years, including Annual Debt Service as estimated in such Certificate of the City with respect to future Series of Bonds, if any, (the principal amount of which such Certificate of the City shall estimate, based on the estimate of the Consulting Engineers of the cost of construction of such portion of the Project and other uncompleted portions of the Project, will be required to complete payment of the cost of construction of such portion of the Project and any other uncompleted portion of the Project), and demonstrating that the estimated Net Revenues (together with any fund balances of the City which are available for payment of Debt Service and are not budgeted to be expended during such period or during the periods for which such Debt Service is to be paid, but excluding the Bond Reserve Fund) in each of the first three Fiscal Years set forth in (i) above is at least equal to 1.25 times the Annual Debt Service for the corresponding Fiscal Year as set forth in (ii) above (excluding any moneys set aside in the Interest Fund for the payment of the interest portion of such Annual Debt Service).

Said certificate or certificates or written report shall be filed after the sale of the additional Series of Bonds proposed to be issued (but prior to the delivery thereof and receipt of payment therefor), and shall, with respect to such additional Series of Bonds, be based upon the actual interest rate or rates determined at the time of sale thereof.

(2) If the additional Series of Bonds are being issued pursuant to Section 3.05, a certificate of an Independent Certified Public Accountant that the requirements of paragraph (e) of Section 3.05 have been met. Said certificate shall be filed after the sale of the additional Series of Bonds proposed to be issued (but prior to the delivery thereof and receipt of payment therefor), and shall, with respect to such additional

Series of Bonds, be based upon the actual interest rate or rates determined at the time of sale thereof.

(d) Said Supplemental Resolution, duly executed or certified, and approved by the Fiscal Agent.

Upon the delivery to the Fiscal Agent of the foregoing instruments, the Fiscal Agent shall authenticate and deliver said additional Series of Bonds, in the aggregate principal amount specified in such Supplemental Resolution, to, or upon the Written Request of, the City, when such additional Series of Bonds shall have been presented to it for that purpose.

None of the limitations or restrictions on the issuance of additional Series of Bonds set forth in this Section shall be applicable to any additional Series of Bonds which are to be issued solely for the purpose of refunding and retiring all of the Bonds issued hereunder and then Outstanding, and nothing in this Resolution contained shall limit the issuance of any additional Series of Bonds if, after the issuance and delivery of such additional Series of Bonds, none of the Bonds theretofore authorized hereunder will be Outstanding or the City shall have discharged the entire indebtedness on all Bonds Outstanding in one of the ways authorized by Article X.

SECTION 3.07. Additional Bonds. So long as any of the Bonds remain Outstanding, the City will not issue any Additional Bonds or obligations payable from Net Revenues on a parity with the Bonds, except pursuant to Sections 3.04, 3.05 and 3.06, unless the Owners of a majority in aggregate amount of the Bond Obligation and any Credit Provider shall have consented in writing to the issuance of such Additional Bonds or obligations.

SECTION 3.08. Issuance of Senior Lien Bonds. Except as provided in Section 3.09, so long as any of the Bonds are Outstanding, the City shall not issue any bonds, notes or other obligations, enter into any agreements or otherwise incur any indebtedness, which is in any case secured by a lien on all or any part of the Revenues which is superior to the lien established hereunder for the security of the Bonds.

SECTION 3.09. Additional State Loans. The City may execute additional State Loans from time to time in such principal amounts and upon such terms as the Board shall determine, upon the written recommendation of the Chief Administrative Officer, but only upon compliance with the following conditions, which are hereby made conditions precedent to the execution and delivery of any such additional State Loans:

(a) The City shall not be in default under this Resolution; provided, however, that if the City is then in default under this Resolution, such State Loan or State Loans may nonetheless be executed and delivered if all of the Outstanding Bonds will be refunded and defeased from the proceeds of such State Loan or State Loans or otherwise on or prior to the execution and delivery thereof;

(b) The City shall file the following certificates and reports with the Fiscal Agent:

(1) a Certificate of the City demonstrating compliance with the requirements of Section 6.13 of this Resolution;

(2) if any portion of the proceeds of such State Loan is to be used to finance construction, a certificate of the Director of Public Works setting forth (i) the estimated date of completion for the portion of the Project for which such State Loan is being executed, and (ii) an estimate of the cost of construction of such portion of the Project;

(3) a written report of the Director of Public Works setting forth for each of the next three Fiscal Years, or if any portion of the proceeds of such State Loan is to be used to finance construction, the three Fiscal Years following the Fiscal Year in which the Director of Public Works estimates such portion of the Project will be completed, estimates of (i) Revenues, (ii) Maintenance and Operation Costs of the Enterprise, and (iii) Net Revenues; and

(4) a Certificate of the City setting forth (i) the estimates of Net Revenues as set forth in the written report of the Director of Public Works pursuant to paragraph (3) above for each of such three Fiscal Years and (ii) the Annual Debt Service for each of such three Fiscal Years, and demonstrating that the estimated Net Revenues (together with any fund balances of the City which are available for payment of Debt Service and are not budgeted to be expended during such period or during the periods for which such Debt Service is to be paid, but excluding the Bond Reserve Fund) in each of the first three Fiscal Years set forth in (i) above is at least equal to 1.25 times the Annual Debt Service for the corresponding Fiscal Year as set forth in (ii) above (excluding any moneys set aside in the Interest Fund for the payment of the interest portion of such Annual Debt Service).

SECTION 3.10. Validity of Bonds. The validity of the authorization and issuance of the Bonds shall not be dependent on or affected in any way by any proceedings taken by the City for the improvement of the Enterprise, or by any contracts made by the City in connection therewith, or the failure to construct the Project, the Enterprise or any part thereof. The recital contained in the Bonds that the same are regularly issued pursuant to the Law shall be conclusive evidence of their validity and of compliance with the provisions of law in their issuance.

ARTICLE IV

REDEMPTION OF BONDS

SECTION 4.01. Terms of Redemption. (a)(1) Series 1988A Bonds due on or before the Call Protection Date shall not be subject to redemption before their respective stated maturities. (2) Series 1988A Bonds due after the Call Protection Date shall be subject to redemption prior to their respective stated maturities, at the option of the City, from and to

the extent of any source of available funds, as a whole on any date on or after the Call Protection Date, or in part on any Interest Payment Date on or after the Call Protection Date of such maturities or portions of maturities and of such tenor as shall be determined by the City if less than all of the Series 1988A Bonds are to be called for prior redemption and by lot within any such maturity and tenor if less than all of the Series 1988A Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption plus a premium (expressed as a percentage of such principal amount) as set forth in the Sales Certificate. (3) Series 1988A Term Bonds are further subject to redemption prior to their respective stated maturities, from the Series 1988A Sinking Fund Account, on any Sinking Fund Payment Date by lot within any maturity if less than all of the Series 1988A Bonds of such maturity and tenor are to be redeemed, upon payment of the principal amount thereof and accrued interest thereon to the date fixed for redemption without premium, but only in amounts equal to, and in accordance with, the schedule of the principal amounts of Series 1988A Bonds to be redeemed in each such year from said Series 1988A Sinking Fund Account. (4) The City shall give the Fiscal Agent written notice at least forty-five days before any date fixed for the redemption of Bonds to be redeemed pursuant to subsection (a)(2) above, of the fact and date of redemption and of the principal amount of Bonds and the maturities or portions thereof to be redeemed.

(b) Any Series of Bonds, other than Series 1988A Bonds, may be made subject to redemption prior to maturity, as a whole or in part, at such time or times, and upon payment of the principal amount or, in the case of Capital Appreciation Bonds, the Accreted Value thereof plus such premium or premiums, if any, as may be determined by the City at the time such Series is authorized and as shall be set forth in the Supplemental Resolution authorizing such Series.

SECTION 4.02. Selection of Bonds for Redemption. Whenever less than all of the Bonds of any one maturity and tenor of any Series are called for redemption and such Bonds are redeemable by lot, the Fiscal Agent shall select the Bonds of such maturity and tenor to be redeemed, from the Outstanding Bonds of such maturity and tenor, by lot or by any other manner which the Fiscal Agent deems fair and equitable. For purposes of such selection, Bonds shall be deemed to be composed of $5,000 portions (of principal in the case of Current Interest Bonds or of Accreted Value at maturity in the case of Capital Appreciation Bonds) and any such portion may be redeemed separately. The Fiscal Agent shall promptly notify the City in writing of the numbers of the Bonds so selected for redemption.

SECTION 4.03. Notice of Redemption. Notice of redemption shall be mailed by the Fiscal Agent, by first class mail not less than thirty (30) nor more than sixty (60) days prior to the redemption date, to (i) the respective Owners of any Bonds designated for redemption at their addresses appearing on the bond registration books of the Fiscal Agent, (ii) the Securities Depositories and (iii) one or more Information Services. Each notice of redemption shall state the date of such notice, the Series of Bonds to be redeemed, the date of issue of such Series of Bonds, the redemption date, the redemption price including, in the case of Capital Appreciation Bonds, the Accreted Value thereof, the place or places of redemption (including the name and appropriate address or addresses of the Fiscal Agent),

the CUSIP number (if any) of the maturity or maturities, and, if less than all of any such maturity is to be redeemed, the distinctive certificate numbers of the Bonds of such maturity, to be redeemed, and, in the case of Bonds to be redeemed in part only, the respective portions of the principal amount thereof to be redeemed. Each such notice shall also state that on said date there will become due and payable on each of said Bonds the principal amount thereof or of said specified portion of the principal amount thereof in the case of a Bond to be redeemed in part only, together with interest accrued thereon to the redemption date, and the premium, if any, thereon (such premium to be specified) and that from and after such redemption date interest thereon shall cease to accrue, and shall require that such Bonds be then surrendered at the address or addresses of the Fiscal Agent specified in the redemption notice.

Failure by the Fiscal Agent to give notice pursuant to this Section 4.03 to any one or more of the Information Services or Securities Depositories, or the insufficiency of any such notices shall not affect the sufficiency of the proceedings for redemption. Neither failure by the Fiscal Agent to mail notice of redemption pursuant to this Section 4.03 to any one or more of the respective Owners of any Bonds designated for redemption nor any defect in such notice shall affect the sufficiency of the proceedings for redemption with respect to the Owners to whom such notice was mailed.

Notice of redemption of Bonds shall be given by the City or, at the request of the City, by the Fiscal Agent for and on behalf and at the expense of the City.

SECTION 4.04. Partial Redemption of Bond. Upon surrender of any Bond redeemed in part only, the City shall execute and the Fiscal Agent shall authenticate and deliver to the Owner thereof, at the expense of the City, a new Bond or Bonds of authorized denominations equal in aggregate principal amount or Accreted Value, as the case may be, to the unredeemed portion of the Bond surrendered and of the same Series, tenor, interest rate and maturity.

SECTION 4.05. Effect of Redemption. When notice of redemption has been duly given as aforesaid, and moneys for payment of the redemption price are held by the Fiscal Agent, the Bonds so called for redemption shall, on the redemption date designated in such notice, become due and payable at the redemption price specified in such notice; and from and after the date so designated interest on the Bonds so called for redemption shall cease to accrue, said Bonds shall cease to be entitled to any benefit or security under this Resolution, and the Owners of said Bonds shall have no rights in respect thereof except to receive payment of the redemption price thereof. The Fiscal Agent shall, upon surrender for payment of any of said Bonds, pay such Bonds at the redemption price as aforesaid, together with accrued interest thereon.

All Bonds redeemed pursuant to the provisions of this Article shall be cancelled upon surrender, and no Bonds shall be issued in place thereof.

SECTION 4.06. Rescission of Notice of Redemption. The City may, at its option, prior to the date fixed for an optional redemption in any notice of redemption rescind and cancel such notice of redemption by Written Request to the Fiscal Agent and the Fiscal Agent shall mail notice of such cancellation to the recipients of the notice of redemption being cancelled.

ARTICLE V

REVENUES AND FUNDS

SECTION 5.01. Pledge and Assignment of Revenues; Revenue Fund. (a) Subject to subsection (b) below, all of the Net Revenues (except amounts on deposit in any rebate fund) are hereby irrevocably pledged to the punctual payment of the principal and Accreted Value of, and interest on, the Bonds and the Policy Costs, and Net Revenues shall not be used for any other purpose while any of the Bonds remain outstanding; except that out of the Net Revenues there may be apportioned such amounts for such other purposes as are expressly permitted by this Resolution. All Revenues shall be deposited by the Treasurer in the special fund established by Ordinance No. 198-77 of the City designated as the "Sewage Service Revenue Fund" (herein called the "Revenue Fund"), which fund the City covenants to maintain in the City Treasury. All Revenues collected during each calendar month shall be so deposited on or before the first Business Day of the next succeeding calendar month.

(b) Moneys in the Revenue Fund, including earnings thereon, shall be appropriated, transferred, expended or used for the following purposes pertaining to the financing, maintenance and operation of the Enterprise in accordance with the following priority:

(1) the payment of State Loans;

(2) the payment of Maintenance and Operation Costs of the Enterprise;

(3) The payment of the fees and expenses of the Fiscal Agent and payment of the periodic fees, if any, payable to any Reserve Provider or Credit Provider in connection with the Bonds;

(4) the payment of amounts required to be deposited into the Principal Fund, Interest Fund, Bond Reserve Fund, Sinking Fund Accounts, and other mandatory funds and accounts created to secure Bonds issued by the City for the financing or the refinancing of the acquisition, construction or extension of the Enterprise (as provided in Section 5.02 hereof);

(5) the payment of, or deposit into, the debt service, reserve and other mandatory funds and accounts created to secure, obligations of the City payable from Net Revenues for the financing or refinancing of the Enterprise which are subordinated to the Bonds;

(6) any deposits required to be made into the Repair and Replacement Fund pursuant to Section 5.02 hereof ;

(7) any deposit to be made into the Working Capital Fund pursuant to Section 5.02 hereof;

(8) any deposit to be made into the Rate Stabilization Fund pursuant to Section 5.02 hereof; and

(9) any deposit to be made into the Surplus Revenue Fund pursuant to Section 5.02 hereof.

SECTION 5.02. Establishment and Maintenance of Funds for Net Revenues; Use and Withdrawal of Net Revenues. (a) All moneys in the Revenue Fund, after the making of the payments required by subsection 5.01(b)(1), (2) and (3) shall be paid over to the Fiscal Agent to the extent necessary and deposited in one or more of the following respective special funds at the times therein specified. The Fiscal Agent shall establish and maintain, in trust, so long as any Bonds are Outstanding the Interest Fund, Principal Fund, and Bond Reserve Fund.

All Net Revenues in each of said funds shall be held in trust by the Fiscal Agent and shall be applied, used and withdrawn only for the purposes authorized in this Resolution. Such amounts shall be so transferred to and deposited in the following respective funds, to the extent required, in the following order of priority, the requirements of each such fund at the time of deposit to be satisfied before any transfer is made to any fund subsequent in priority:

(1) Interest Fund. (i) On or before the tenth day of each month, the Treasurer shall pay to the Fiscal Agent for deposit in the Interest Fund an amount equal to (A) at least one-fifth of the aggregate half-yearly amount of interest becoming due and payable on the Outstanding Current Interest Bonds (except for Bonds constituting Variable Rate Indebtedness) during the next ensuing six months (excluding any interest for which there are moneys deposited in the Interest Fund from the proceeds of any Series of Bonds or other source and reserved as capitalized interest to pay such interest during said next ensuing six months), until the requisite half-yearly amount of interest on all such Outstanding Current Interest Bonds (except for Bonds constituting Variable Rate Indebtedness) is on deposit in such fund; provided that from the date of delivery of a Series of Current Interest Bonds until the first Interest Payment Date with respect to such Series the amounts so paid with respect to such Series shall be sufficient on a monthly pro rata basis to pay the aggregate amount of interest becoming due and payable on said Interest Payment Date with respect to such Series (excluding any interest for which there are moneys deposited in the Interest Fund from the proceeds of such Series of Bonds or other source and reserved as capitalized interest to pay interest on said Interest Payment Date), and (B) one hundred ten percent (110%) of the estimated aggregate amount of interest accruing during that month on the Outstanding Variable Rate Indebtedness

(provided, however, that the amount of such deposit into the Interest Fund for any month may be reduced by the amount by which the deposit in the prior month for interest estimated to accrue on Outstanding Variable Rate Indebtedness exceeded the actual amount of interest accrued during that month on said Outstanding Variable Rate Indebtedness and further provided that the amount of such deposit into the Interest Fund for any month shall be increased by the amount by which the deposit in the prior month for interest estimated to accrue on Outstanding Variable Rate Indebtedness was less than the actual amount of interest accruing during that month on said Outstanding Variable Rate Indebtedness).

No deposit need be made into the Interest Fund if the amount contained therein is at least equal to the interest to become due and payable on the next Interest Payment Date upon all of the Bonds issued hereunder and then Outstanding (but excluding any moneys on deposit in the Interest Fund from the proceeds of any Series of Bonds or other source and reserved as capitalized interest to pay interest on any future Interest Payment Dates following said next Interest Payment Date). Moneys in the Interest Fund shall be used and withdrawn by the Fiscal Agent solely for the purpose of paying the interest on the Bonds as it shall become due and payable (including accrued interest on any Bonds purchased or redeemed prior to maturity pursuant to this Resolution).

(2) Principal Fund; Sinking Fund Accounts. (i) On or before the tenth day of each month, the Treasurer shall pay to the Fiscal Agent for deposit in the Principal Fund an amount equal to at least (A) one-fifth of the aggregate semiannual amount of Bond Obligation becoming due and payable on the Outstanding Serial Bonds of all Series having semiannual maturity dates on the next succeeding April 1 or October 1, plus (B) one-tenth of the aggregate yearly amount of Bond Obligation becoming due and payable on the Outstanding Serial Bonds of all Series having annual maturity dates on the next succeeding October 1, plus (C) one-fifth of the aggregate of the Minimum Sinking Fund Account Payments to be paid during the six-month period ending on the next succeeding April 1 or the next succeeding October 1 into the respective Sinking Fund Accounts for the Term Bonds of all Series for which Sinking Fund Accounts have been created and for which semiannual mandatory redemption is required from said Sinking Fund Accounts, plus (D) one-tenth of the aggregate of the Minimum Sinking Fund Account Payments to be paid during the twelve-month period ending on the next succeeding October 1 into the respective Sinking Fund Accounts for the Term Bonds of all Series for which Sinking Fund Accounts shall have been created and for which annual mandatory redemption is required from such Sinking Fund Accounts, plus (E) if any Balloon Indebtedness shall be Outstanding and principal shall be due on such Balloon Indebtedness on or prior to the next succeeding October 1, sufficient amounts on a monthly pro rata basis to pay when due the Balloon Indebtedness (provided that if the City certifies to the Fiscal Agent that the principal of said Balloon Indebtedness shall be refunded on or prior to its due date, no amounts need be set aside towards such principal), plus (F) if any Letter of Credit Agreement has been entered into, on a parity with the Bonds, sufficient amounts to pay when due on a monthly pro rata basis the

obligations of the City under such Letter of Credit Agreement due on or prior to the next succeeding October 1.

No deposit need be made into the Principal Fund so long as there shall be in such fund (i) moneys sufficient to pay the Bond Obligations of all Serial Bonds issued hereunder and then Outstanding and maturing by their terms on the next succeeding October 1 or April 1, as the case may be, plus (ii) the aggregate of all Minimum Sinking Fund Account Payments required to be made in the twelve-month period ending on the next succeeding October 1, but less any amounts deposited into the Principal Fund during such twelve month period ending on October 1 and theretofore paid out from the Principal Fund to redeem or purchase Term Bonds during such twelve-month period, plus (iii) moneys sufficient to pay the principal of the Balloon Indebtedness and said Letter of Credit obligations due in the twelve-month period ending on the next succeeding October 1, provided that if the City certifies to the Fiscal Agent that the principal of the Balloon Indebtedness shall be refunded on or prior to its due date, no amounts need be on deposit with respect to the principal due on such Balloon Indebtedness.

All moneys in the Principal Fund shall be used and withdrawn by the Fiscal Agent solely for the purpose of paying the Bond Obligation of the Bonds, the Balloon Indebtedness and said Letter of Credit Agreement obligations when due and payable, except that all moneys in any Sinking Fund Account shall (except as otherwise provided in Article VII hereof) be used and withdrawn by the Fiscal Agent only to purchase or to redeem or to pay at maturity Term Bonds of the Series for which such Sinking Fund Account was created, as provided herein or in any Supplemental Resolution.

The Fiscal Agent shall establish and hold within the Principal Fund a Series 1988A Sinking Fund Account, which the City hereby covenants and agrees to cause to be maintained, for payment of the Bond Obligation of the Term Series 1988A Bonds. The Fiscal Agent, on or before the day next preceding each Sinking Fund Payment Date, shall deposit in the Series 1988A Sinking Fund Account from the Principal Fund moneys in an amount which shall be sufficient to call and redeem or to pay at maturity, as the case may be, the principal of Term Series 1988A Bonds in the principal amounts on the next succeeding Sinking Fund Payment Date in each of the years, as specified in the Sales Certificate.

All moneys in the Series 1988A Sinking Fund Account may and, at the Written Request of the City, shall be used and withdrawn by the Fiscal Agent at any time for the purchase of Term Series 1988A Bonds (except that no Term Series 1988A Bonds maturing in any year shall be purchased so long as any Term Series 1988A Bonds maturing in any earlier year and being of like tenor shall be Outstanding) at public or private sale, as and when and at such prices (including brokerage and other charges, but excluding, accrued interest, which is payable from the Interest Fund) as the Fiscal Agent may in its discretion determine, but not to exceed the principal thereof (excluding accrued interest), and all Bonds so purchased by the Fiscal Agent shall be cancelled and handled in accordance with Section 11.05; provided, however, that all moneys in the Series

1988A Sinking Fund Account on the fifteenth day of the second month preceding each Sinking Fund Payment Date, together with any additional sums which the Fiscal Agent expects to receive for deposit in the Series 1988A Sinking Fund Account after such date and on or before the next succeeding Sinking Fund Payment Date, shall be used and withdrawn by the Fiscal Agent solely for the purpose of redeeming the Series 1988A Bonds which are subject to redemption pursuant to the provisions of Section 4.01(a)(3); and the Fiscal Agent shall during each twelve month period beginning with the twelve month period ending on the first Sinking Fund Payment Date, purchase or call and redeem (as herein provided) an aggregate amount of Series 1988A Bonds equal to at least the amount of Bond Obligation of the Bonds identified in the preceding paragraph for such twelve month period, except that if Term Series 1988A Bonds of any Term Bond maturity shall have previously been redeemed or purchased in excess of the amount of Bond Obligation of the Bonds identified in the preceding paragraph there shall be deemed to have been a reduction of the remaining amounts stated in the preceding paragraph on a Proportionate Basis and further except that moneys in the Series 1988A Sinking Fund Account shall be used, to the extent necessary, to purchase or retire the Outstanding Series 1988A Term Bonds at the maturity thereof. The City hereby covenants and agrees with the Owners of the Series 1988A Bonds to call and redeem Series 1988A Bonds from the Series 1988A Sinking Fund Account pursuant to this Section 5.02 and pursuant to Section 4.01(a)(3), on each Sinking Fund Payment Date in each of the years, and in the amounts, stated in the Sales Certificate.

(3) Bond Reserve Fund; Reserve Accounts. (i) On or before the tenth day of each month, the Treasurer shall pay to the Fiscal Agent for deposit in the Bond Reserve Fund one-twelfth (1/12) of the aggregate amount of each unreplenished prior withdrawal from the Bond Reserve Fund until there is on deposit in the Bond Reserve Fund a balance equal to the Required Reserve (or such larger balance as may be required by any Supplemental Resolution). If a Bond Reserve Fund Policy satisfies all or a portion of the Required Reserve and a drawing is made on the Bond Reserve Fund Policy, on or before the tenth day of each month following such drawing, the Treasurer shall pay to the Fiscal Agent or to the Reserve Provider, with notice to the Fiscal Agent, an amount at least equal to one-twelfth (1/12) of the aggregate amount of Policy Costs owing with respect to such Bond Reserve Fund Policy. If the Fiscal Agent receives such payment, it shall immediately remit the same to the Reserve Provider.

No deposit need be made into the Bond Reserve Fund so long as there shall be in the Bond Reserve Fund an amount equal to the Required Reserve, or when and if the sum of the amounts contained (excluding all Bond Reserve Fund Policies) therein and in the Interest Fund and in the Principal Fund is at least equal to the sum of the aggregate principal amount of all of the Bonds then Outstanding and all of the interest then due or thereafter to become due on all such Bonds.

The Fiscal Agent shall establish and hold within the Bond Reserve Fund a Series 1988A Reserve Account with respect to the Series 1988A Bonds and a similar account for each additional Series of Bonds issued hereunder. Each Reserve Account shall be funded

in an amount equal to the Average Annual Debt Service on the Outstanding Bonds of the Series to which it relates. Moneys in the respective Reserve Accounts within the Bond Reserve Fund shall be used and withdrawn by the Fiscal Agent solely and the Fiscal Agent shall withdraw such moneys for the following purposes in the priority indicated: (1) to pay the principal of, Minimum Sinking Fund Account Payments with respect to, and interest on the corresponding Series of Bonds to which such Reserve Account relates in the event that no other moneys are available therefor; or (2) to pay or redeem all of the Bonds of such Series then Outstanding. Funds or a Bond Reserve Fund Policy on deposit in a Reserve Account shall be applied solely to the payment of the Series of Bonds to which such Reserve Account relates and shall not be available for payment of any other Series of Bonds. Following application of all other funds held in the Reserve Account relating to a Series of Bonds, the Fiscal Agent shall draw under any Bond Reserve Fund Policy issued with respect to such Series of Bonds, in a timely manner and pursuant to the terms of such Bond Reserve Fund Policy, to the extent necessary in order to obtain sufficient funds on or prior to the date such funds are needed to pay the Bond Obligation of, Minimum Sinking Fund Account Payments with respect to, and interest on such Series of Bonds when due.

In the event that the Fiscal Agent has notice that any payment of principal of or interest on a Bond has been recovered from its Bondowner pursuant to the United States Bankruptcy Code by a trustee in bankruptcy in accordance with the final, nonappealable order of a court having competent jurisdiction, the Fiscal Agent, pursuant to the terms of the Bond Reserve Fund Policy, if any, securing the Series of Bonds of which such Bond is a part, shall so notify the Reserve Provider and draw on such policy to the lesser of the extent required or the maximum amount of such policy in order to pay to such Bondowners the principal of and interest so recovered. If and to the extent that more than one Bond Reserve Fund Policy satisfies the portion of the Required Reserve relating to a Series of Bonds, drawings under such Bond Reserve Fund Policies and payment of Policy Costs with respect to such Bond Reserve Fund Policies shall be made on a pro rata basis (calculated by reference to the maximum amounts of such Bond Reserve Fund Policies).

Deposits to the Bond Reserve Fund shall be applied on a pro rata basis to the respective Reserve Accounts, calculated by reference to the amounts required to be maintained in such Reserve Accounts, and within each Reserve Account first to the pro rata payment of Policy Costs and upon satisfaction of such Policy Costs to satisfying any portion of the Required Reserve to be maintained within such Reserve Account not covered by a Bond Reserve Fund Policy. So long as the City is not in default hereunder, and in each Reserve Account there is a balance equal to Average Annual Debt Service on the Outstanding Bonds of the Series of Bonds for which such Reserve Account was established, any amount in the Bond Reserve Fund in excess of the Required Reserve shall be withdrawn semiannually, on April 1 and October 1 of each year, by the Fiscal Agent from the Bond Reserve Fund and transferred to the Treasurer for deposit in the Revenue Fund or, during the period of construction of the Project or any portion thereof, the Construction Fund. The City shall advise the Fiscal Agent upon the issuance of

Additional Bonds of the portion of the Required Reserve to be maintained in each Reserve Account which portion shall not be less than such Series' pro rata portion of the Required Reserve.

(b) Repair and Replacement Fund. The Treasurer shall establish and maintain in trust, so long as any of the Bonds are Outstanding, a Repair and Replacement Fund. On the tenth day of each month (or on such earlier day of each month as the transfers required by Section 5.02(a) above shall have been completed) and attributable to the preceding calendar month, after the setting aside and transferring of all of the amounts required to be set aside or transferred by the Treasurer by the provisions of Sections 5.01(b)(1) through (5) hereof, the Treasurer shall deposit in the Repair and Replacement Fund an amount, to the extent Revenues are available therefore, which shall aggregate during each Fiscal Year, beginning in the Fiscal Year ending June 30, 1986, the greater of (1) the amount required by federal and state grant agreements relating to the Enterprise to be so deposited or (2) the sum of $5,000,000, which sum shall increase in each Fiscal Year by 5% of the preceding Fiscal Year's deposit as required by this Section 5.02(b) to a maximum annual deposit of $20,000,000. Moneys in the Repair and Replacement Fund shall be applied by the Treasurer to pay for replacements, renewals and repairs of facilities of the Enterprise, subject to the budget and fiscal provisions of the Charter.

(c) Working Capital Fund. The Treasurer shall establish and maintain in trust, so long as any of the Bonds are Outstanding, a Working Capital Fund. The City shall deposit in the Working Capital Fund, to the extent Revenues are available therefor, such amounts, if any, as the Board shall determine from time to time. The Board hereby finds and determines that an amount equal to $7,000,000 shall be deposited in the Working Capital Fund in the Fiscal Year ending June 30, 1993, to the extent Revenues are available therefor. Moneys in the Working Capital Fund shall be applied at the direction of the Board, upon the written recommendation of the Chief Administrative Officer, only (i) to pay Maintenance and Operation Costs of the Enterprise; (ii) to make any required payments or deposits to pay or secure the payment of the principal or purchase price of or interest or redemption premium on the Bonds; (iii) to make any required payments or deposits to pay or secure the payment of the principal or purchase price of or interest or redemption premium on any other indebtedness for borrowed money payable from Revenues; and (iv) to pay the costs of any extraordinary repairs, renewals or replacements to the Enterprise.

(d) Rate Stabilization Fund. The Treasurer shall establish and maintain in trust, so long as any of the Bonds are outstanding, a Rate Stabilization Fund. The City shall deposit in the Rate Stabilization Fund, to the extent moneys are available therefor, such amounts, if any, as the Board shall determine from time to time. The Board hereby finds and determines that all Revenues available after making the payments and deposits required pursuant to Section 5.01(b)(1) through (8) shall be deposited in the Rate Stabilization Fund in the Fiscal Year ending June 30, 1993. Moneys in the Rate Stabilization Fund shall be applied at the

direction of the Board, upon the written recommendation of the Chief Administrative Officer, for any of the purposes specified in paragraphs (1) through (8) of Section 5.01 hereof in order to reduce and to level projected future increases in rates for customers of the Enterprise.

(e) Suplus Revenue Fund. The Treasurer shall establish and maintain in trust, so long as any of the Bonds are Outstanding, a Surplus Revenue Fund. All moneys remaining on the tenth day of each month (or on such earlier day of each month as the transfers required by the provisions of Section 5.01(b)(1) through (7) shall have been completed) and attributable to the preceding calendar month, after the setting aside and transferring of all of the amounts required to be set aside or transferred by the Treasurer by the provisions of Section 5.01(b)1 through (7) hereof, shall be deposited by the Treasurer, to the Surplus Revenue Fund. Moneys in the Surplus Revenue Fund shall be applied by the Treasurer for any of the following purposes: (A)(i) to pay Maintenance and Operation Costs of the Enterprise the payment of which was not provided for in the final budget approved by the Board of Supervisors for the then current Fiscal Year; (ii) to pay or finance the costs of extensions or improvements of or additions or betterments to the Enterprise; (iii) to pay the principal of or interest on general obligation bonds of the City due and payable to the owners or holders thereof in such Fiscal Year issued to provide facilities for the collection, treatment or disposal of sewage, waste or storm water; (iv) to transfer to the Fiscal Agent for application by the Fiscal Agent to the purchase of Bonds at public or private sale, as and when and at such prices (including brokerage and other charges, but excluding accrued interest) as it may in its discretion determine, but at a price not exceeding the par value thereof or, in the case of Bonds which by their terms are subject to call and redemption, the highest redemption price (excluding accrued interest) or the current redemption price (excluding accrued interest), whichever is lower; (v) to transfer to the Fiscal Agent for application by the Fiscal Agent to the redemption of Bonds in accordance with the provisions of Article IV; or (vi) to increase the Bond Reserve Fund pursuant to a Supplemental Resolution providing for the issuance of an additional Series of Bonds; or (B) for any other lawful purpose of the Enterprise.

(f) The inability of the Treasurer to make any deposit in accordance with 5.02(b) through (e) hereof by reason of a lack of Revenues available therefor shall not constitute an Event of Default hereunder.

SECTION 5.03. Deposit and Investment of Moneys in Funds; Interest Rate Swaps. All moneys held by the Treasurer in the Revenue Fund, the Construction Fund, the Repair and Replacement Fund, the Working Capital Fund and the Rate Stabilization Fund may be invested in Legal Investments, maturing not later than the date on which such moneys are required for payment by the Treasurer. All moneys held by the Fiscal Agent and allocated to any of the funds held by it, subject to the restrictions set forth in the Rebate Certificate, shall be invested in Permitted Investments described in clause (1) of the definition thereof, and may at the direction of the City be invested in Permitted Investments, maturing not later than the date on which such moneys are required for payment by the Fiscal Agent, except that at least one-half of the moneys in the Bond Reserve Fund shall be

deposited or invested in deposits or Permitted Investments which mature not more than five years from the date of investment or the final date of maturity of the Outstanding Bonds, whichever is earlier. If at any time any of the investments stated to be Permitted Investments hereunder shall cease to be a legal investment for the funds held hereunder, the City shall so advise the Fiscal Agent by a Written Statement. The Fiscal Agent shall not be responsible for making any investment which shall not be a legal investment if the City shall not have previously delivered a Written Request or Statement correctly advising the Fiscal Agent that such investment was no longer a legal investment.

For the purpose of determining the amount of money in the Bond Reserve Fund, all investments of moneys therein shall be valued annually on June 30 at the market value of such investments. All interest received on any moneys so invested by the Treasurer or the Fiscal Agent shall be deposited in the Revenue Fund, except that (i) all interest received on any moneys so invested in the Principal Fund or Interest Fund shall remain in such fund and (ii) prior to receipt by the Fiscal Agent of notice of completion of construction of the Project or any portion thereof all interest received on any moneys so invested (a) in the Bond Reserve Fund, shall be transferred to and deposited in, the Construction Fund and (b) in the Construction Fund, shall remain in the Construction Fund or be transferred to the Revenue Fund, at the election of the City. Upon completion of construction of the Project or any such portion thereof, the City shall file with the Fiscal Agent a Certificate or Written Statement of the City stating the fact and date of such completion of construction.

The Fiscal Agent may sell or present for redemption any obligations so purchased by it whenever it shall be necessary in order to provide moneys to meet any payment, and the Fiscal Agent shall not be liable or responsible for any loss resulting from such investment.

The Fiscal Agent may act as principal or agent in the acquisition or disposition of any investment.

The Fiscal Agent may commingle any of the moneys held by it pursuant to this Resolution for investment purposes only; provided, however, that the Fiscal Agent shall account separately for the moneys belonging to each fund or account established pursuant to this Resolution and held by it.

The City may and the Fiscal Agent shall, upon the Written Request or Statement of the City, and provided that the Fiscal Agent is supplied with an Opinion of Counsel to the effect that such action is permitted under the laws of the State of California, enter into an interest rate swap agreement corresponding to the interest rate or rates payable on a Series of Bonds or any portion thereof and the amounts received by the City or the Fiscal Agent, if any, pursuant to such a swap agreement may be applied to the deposits required hereunder. The entity with which the City or the Fiscal Agent may contract for an interest rate swap is limited to entities that are rated in one of the two highest short-term or long-term debt rating categories by Moody's and S&P. If the City so designates, amounts payable under the interest rate swap agreement shall be made on a parity basis with payments on the Bonds and, in such event, the City shall pay to the Fiscal Agent for deposit in the Interest Fund, at

the times and in the manner provided by Section 5.02, the amounts to be paid under such interest rate swap agreement, as if such amounts were additional interest due on the Bonds to which such interest rate swap relates.

ARTICLE VI

COVENANTS OF THE CITY

SECTION 6.01. Payment of Principal and Interest. The City will punctually pay or cause to be paid the principal and interest (and premium, if any) to become due in respect of every Bond issued hereunder at the times and places and in the manner provided herein and in the Bonds, in strict conformity with the terms of the Bonds and of this Resolution, but solely from Net Revenues, as provided herein.

SECTION 6.02. Against Encumbrances. Subject to any rights of the United States of America or the State of California, the City will not mortgage or otherwise encumber, pledge or place any charge upon the Enterprise or any part thereof, or upon any of the Net Revenues, prior to or on a parity with the Bonds, provided that Letter of Credit Agreements entered into in connection with Balloon Indebtedness, Variable Rate Indebtedness or Tender Indebtedness may be payable on a parity with the Bonds.

Subject to Section 3.08 hereof, so long as any Bonds are Outstanding, the City will not issue any bonds or obligations payable from Net Revenues or secured by a pledge, lien or charge upon Net Revenues prior to or on a parity with the Bonds, other than the Bonds, provided that Letter of Credit Agreements entered into in connection with Balloon Indebtedness, Variable Rate Indebtedness, or Tender Indebtedness may be payable on a parity with the Bonds.

Nothing in this Resolution, and particularly nothing in the preceding two paragraphs, shall prevent the City from authorizing and issuing bonds, notes, warrants, certificates or other obligations or evidences of indebtedness which as to principal or interest, or both, (1) are payable from Net Revenues after and subordinate to the payment from Net Revenues of the principal of and interest on the Bonds, or (2) are payable from moneys which are not Net Revenues as such term is defined in this Resolution.

SECTION 6.03. Sale or Other Disposition of Property. (a) The City will not sell or otherwise dispose of the Enterprise or any part thereof essential to the proper operation of the Enterprise or to the maintenance of the Net Revenues except as herein expressly permitted. The City will not enter into any lease or agreement which impairs the operation of the Enterprise or impedes the rights of the Owners of the Bonds with respect to the Net Revenues or the operation of the Enterprise, but the City may enter into any lease or agreement concerning all or any part of the Enterprise if such lease or agreement will not impair the operation of the Enterprise or impede the rights of the Owners of the Bonds with respect to the Net Revenues or the operation of the Enterprise.

(b) Any real or personal property which has become nonoperative or which is not needed for the efficient and proper operation of the Enterprise, or any material or equipment which has worn out, may be sold if all of the net proceeds of such sale (less any amounts payable to the United States of America or the State of California or required by the United States of America or the State of California to be deposited in a restricted fund) are deposited in the Revenue Fund.

(c) The City hereby expressly reserves the right to sell all or a portion of the Enterprise, and to enter into and execute agreements for and to complete such sale, but subject to the following specific conditions, which are hereby made conditions precedent to such sale:

(1) The City shall be in compliance with all covenants set forth in this Resolution, and in all Supplemental Resolutions theretofore adopted by the City, and a Certificate of the City to that effect shall have been filed with the Fiscal Agent.

(2) The City shall have determined by resolution whether the net proceeds of the sale (less any amounts payable to the United States of America or the State of California or required to be deposited in a restricted fund) are to be used for the redemption of Bonds or for the making of additions or improvements to or extensions of the Enterprise.

(3) If the City shall have determined that the net proceeds of the sale (less any amounts payable to the United States of America or the State of California or required to be deposited in a restricted fund) are to be used for the redemption of Bonds, such proceeds of the sale shall be deposited with the Fiscal Agent, and the following conditions shall have been satisfied:

(i) The City shall have adopted a resolution providing for the redemption of the maximum principal amount of Bonds which can be redeemed from such proceeds of such sale, or, in the event that no Bonds are subject to redemption on the next succeeding Interest Payment Date, directing the Fiscal Agent (A) to hold such proceeds in trust, (B) to invest such proceeds in the investments permitted in Section 5.03 until any Bonds shall become redeemable, subject to any restrictions imposed by Section 6.17 hereof, (C) to deposit the interest and income on such proceeds in the Revenue Fund as such interest and income is received, and (D) to use such proceeds to redeem Bonds in the amount and manner specified in this Resolution and any Supplemental Resolution on the first Interest Payment Date on which the Bonds can be redeemed; and a certified copy of such resolution shall have been filed with the Fiscal Agent along with a Written Request or Certificate of the City containing such direction.

(ii) If such proceeds are not to be immediately used for the redemption of Bonds but instead are to be held by the Fiscal Agent until Bonds become redeemable, the City shall have filed with the Fiscal Agent a written report of an Independent Certified Public Accountant stating (A) the amount of proceeds to be deposited with

the Fiscal Agent from such sale, (B) an estimate of the total amount of Bond Obligation and the amount of Bonds of each maturity which could be redeemed from such proceeds on the first Interest Payment Date on which Bonds are redeemable, and (C) the estimated annual interest and income to be earned on such proceeds while held and invested by the Fiscal Agent. Such interest and income on such proceeds upon receipt by the Fiscal Agent shall be deposited in the Revenue Fund and shall be treated as Revenues for all purposes of this Resolution, including determining whether the City is in compliance with the covenant contained in Section 6.13.

(iii) If such proceeds of such sale are to be immediately used to redeem Bonds, the Net Revenues for the last Fiscal Year or last recorded twelve-month period preceding the date of the adoption by the City of the resolution authorizing such sale, less a deduction for the portion of such Net Revenues attributable to the portion of the Enterprise to be sold, all as shown by a certificate or opinion of an Independent Certified Public Accountant or a written report of a Qualified Independent Consultant, shall have produced a sum equal to at least 1.25 times Annual Debt Service on the Bonds to be Outstanding following the redemption of Bonds from the proceeds of such sale.

(iv) If such proceeds are not to be immediately used for the redemption of Bonds but instead are to be held by the Fiscal Agent until Bonds become redeemable, the Net Revenues for the last Fiscal Year or last recorded twelve-month period preceding the date of adoption by the City of the resolution authorizing such sale, less a deduction for the portion of such Net Revenues attributable to the portion of the Enterprise to be sold, plus an allowance for the estimated annual interest or income to be earned on the invested proceeds of such sale while held and invested by the Fiscal Agent, all as shown by a certificate or opinion of an Independent Certified Public Accountant or a written report of a Qualified Independent Consultant, shall have produced a sum equal to at least 1.25 times Annual Debt Service.

(4) If the City shall have determined that the net proceeds of the sale (less any amounts payable to the United States of America or the State of California or required to be deposited in a restricted fund) are to be used for the making of additions or improvements to or extensions of the Enterprise, such proceeds of the sale shall be deposited by the Treasurer in a special fund in trust to be held by the Treasurer to be used for the making of additions or improvements to or extensions of the Enterprise, and the condition set forth in the following sentence shall have been satisfied. The Net Revenues for the last Fiscal Year or last recorded twelve-month period preceding the date of the adoption by the City of the resolution authorizing such sale, less a deduction for the portion of such Net Revenues attributable to the portion of the Enterprise to be sold, all as shown by a written report of an Independent Certified Public Accountant, plus

(i) An allowance for Net Revenues from any additions or improvements to or extensions of the Enterprise to be made with the proceeds of such sale or with the proceeds of Bonds previously issued, and also for Net Revenues from any such

additions, improvements or extensions which have been made from moneys from any source but which, during all or any part of such Fiscal Year or recorded twelve-month period, were not in service, all in an amount equal to one hundred percent (100%) of the estimated additional average annual Net Revenues to be derived from such additions, improvements and extensions for the first twenty-four months in which each addition, improvement or extension is respectively to be in operation, all as shown by the certificate or opinion of a Qualified Independent Consultant; and

(ii) An allowance for earnings arising from any increase in the charges made for the use of the Enterprise which has become effective prior to such sale, but which, during all or any part of such Fiscal Year or recorded twelve-month period, was not in effect, in an amount equal to one hundred percent (100%) of the amount by which the Net Revenues would have been increased if such increase in charges had been in effect during the whole of such Fiscal Year or recorded twelve-month period, as shown by the certificate or opinion of a Qualified Independent Consultant; shall have produced a sum equal to at least 1.25 times the Annual Debt Service on the Bonds then Outstanding. Any balance of such proceeds from any such sale not required by the City for the purposes aforesaid shall be deposited in the Revenue Fund established pursuant to Section 5.01 and applied as provided in Section 5.02.

SECTION 6.04. Maintenance and Operation of Enterprise. The City will maintain and preserve the Enterprise in good repair and working order at all times from the Revenues available for such purposes, in conformity with standards customarily followed for municipal sewage treatment and disposal systems of like size and character. The City will from time to time make all necessary and proper repairs, renewals, replacements and substitutions to the properties of the Enterprise, so that at all times business carried on in connection with the Enterprise shall and can be properly and advantageously conducted in an efficient manner and at reasonable cost, and will operate the Enterprise in an efficient and economical manner, consistent with the protection of the Owners of the Bonds, and shall not commit or allow any waste with respect to the Enterprise.

SECTION 6.05. Liens and Claims. Subject to any rights of the United States of America or the State of California, the City shall keep the Enterprise and all parts thereof free from judgments, from mechanics' and materialmen's liens and from all liens and claims of whatsoever nature or character, to the end that the security provided pursuant to this Resolution may at all times be maintained and preserved, and the City shall keep the Enterprise and the Revenues free from any liability which might hamper the City in conducting its business or operating the Enterprise. Subject to the provisions of Section 8.03, the Fiscal Agent at its option (after first giving the City thirty days' written notice to comply therewith and failure of the City to so comply within said thirty-day period) may defend against any and all actions or proceedings in which the validity of this Resolution is or might be questioned, or may pay or compromise any claim or demand asserted in any such actions or proceedings; provided, however, that, in defending against such actions or proceedings or in paying or compromising such claims or demands, the Fiscal Agent shall not in any event be deemed to have waived or released the City from liability for or on

account of any of its covenants and warranties contained herein, or from its liability hereunder to defend the validity of this Resolution and the pledge herein made and to perform such covenants and warranties.

SECTION 6.06. Insurance. The City shall procure, and maintain at all times while any of the Bonds shall be Outstanding, adequate fidelity insurance or bonds on all officers and employees handling or responsible for any Revenues or funds of the Enterprise, such insurance or bonds to be in an aggregate amount at least equal to the maximum amount of such Revenues or funds at any one time in the custody of all such officers and employees or in the amount of two hundred thousand dollars ($200,000), whichever is less.

The insurance described above may be provided as a part of any comprehensive fidelity and other insurance and not separately for the Enterprise.

The City may purchase, on all or any of the Bonds of any Series, insurance assuring the Bondowners that the principal of and interest on the insured Bonds will be paid when due and payable. The purchase of any such insurance shall not constitute a preference or priority of the insured Bonds over any Bonds not so insured, and all Bonds Outstanding, irrespective of the providing of such insurance on some of the Bonds, shall be equally and proportionately secured hereby.

SECTION 6.07. Books and Accounts; Financial Statements. (a) The City will keep proper books of record and accounts of the Enterprise, separate from all other records and accounts of the City, in which complete and correct entries shall be made of all transactions relating to the Enterprise. Such books of record and accounts shall at all times during business hours be subject to the inspection of the Fiscal Agent or of any Owner of Bonds then Outstanding or their representatives authorized in writing, at reasonable hours and under reasonable conditions.

(b) The City will prepare and file with the Fiscal Agent annually within six months after the close of each Fiscal Year so long as any of the Bonds are Outstanding financial statements of the Enterprise for the preceding Fiscal Year, prepared in accordance with generally accepted accounting principles applied on a consistent basis from year to year (which financial statements shall include a statement showing the balances in each fund required to be established under the provisions of this Resolution), including a balance sheet, statement of income, statement of retained earnings and contributed capital, and statement of changes in financial position, which financial statements shall be examined by and include the certificate or opinion of an Independent Certified Public Accountant. Such financial statements shall be accompanied by a Certificate of the City stating that no Event of Default has occurred or is continuing as of the end of each Fiscal Year, or specifying the nature of the Events of Default, if any, which have occurred and are continuing.

The City will furnish a copy of the aforesaid statements to any Bondowner upon request, and will furnish to the Fiscal Agent such reasonable number of copies thereof (not exceeding 100 copies) as may be required by the Fiscal Agent for distribution to investment

bankers, security dealers and others interested in the Bonds and to the Owners of Bonds requesting copies thereof. The Fiscal Agent shall not be required to incur any nonreimbursable expenses in making such distribution.

(c) The City shall cause to be published a summary statement showing the amount of Revenues and the amount of all other funds collected which are required to be pledged or otherwise made available as security for payment of the principal of and interest on the Bonds and the disbursements from such Revenues and other funds in reasonable detail. The statement shall be published annually, not more than 150 days after the close of each Fiscal Year. The City shall furnish a copy of the statement to any Bondowner upon request.

SECTION 6.08. Enterprise Budgets. The Enterprise shall prepare and submit to the Mayor for review and submission to the Board of Supervisors for approval an annual budget for the Enterprise for each Fiscal Year. Such budget shall set forth in reasonable detail the Revenues anticipated to be derived in such Fiscal Year and the expenditures anticipated to be paid or provided for therefrom in such Fiscal Year including, without limitation, the amounts required to be set aside for the payment of the principal of and interest and redemption premium, if any, on the Bonds during the appropriate Fiscal Year, to pay or provide for Maintenance and Operation Costs of the Enterprise for such Fiscal Year, to make up any deficiencies in any fund or account anticipated for the then current Fiscal Year, and to pay or provide for the payment of all other claims or obligations required to be paid from Revenues in such Fiscal Year, and shall show that Net Revenues shall be at least adequate to satisfy the requirements of Section 6.13. Such budget shall comply with any conditions or restrictions set forth in any agreements between the City and users of the Enterprise. Upon the written request of the Fiscal Agent or any Bondowner, the City shall provide a copy of the annual budget or any revised annual budget for the Fiscal Year covered by such budget.

SECTION 6.09. Maintenance of Revenues. The City shall not acquire, construct, operate or maintain, and shall not within the scope of its powers permit any other public or private corporation, political subdivision, district or agency or any person whatsoever to acquire, construct, operate or maintain, within the City or any part thereof, any system or utility competitive with the Enterprise. The City will have in effect, or cause to have in effect, at all times an ordinance or resolution requiring all customers of the Enterprise to pay the fees, rates and charges applicable to the sewer services and facilities furnished by the Enterprise. The City will not provide any sewer service of the Enterprise free of charge to any person, firm or corporation, or to any public agency (including the United States of America, the State of California and any public corporation, political subdivision, city, county, district or agency of any thereof), except (i) for free use by the City and its agencies, (ii) to the extent that any such free use is required by the terms of any existing contract or agreement and (iii) for incidental insignificant free use so long as such free use does not prevent the City from satisfying the other covenants of this Resolution, including, without limitation, Section 6.13 hereof.

SECTION 6.10. Payment of Taxes, Etc. The City will pay and discharge, or cause to be paid and discharged, all taxes, assessments and other governmental charges which may

hereafter be lawfully imposed upon the City on account of the Enterprise or any portion thereof or upon any Revenues and which, if unpaid, might impair the security of the Bonds, when the same shall become due, but nothing herein contained shall require the City to pay any such tax, assessment or charge so long as it shall in good faith contest the validity thereof. The City will duly observe and conform with all valid requirements of any governmental authority relative to the Enterprise or any part thereof.

SECTION 6.11. Acquisition and Construction of Improvements. The City will commence and will continue to completion the acquisition and construction of the improvements to the Enterprise proposed to be financed from any Series of Bonds, in a timely manner in accordance with sound engineering practice, and said improvements will be acquired, constructed and completed in a sound and economical manner and in conformity with law.

SECTION 6.12. Eminent Domain Proceeds. If all or any part of the Enterprise shall be taken by or under threat of eminent domain proceedings, the net proceeds realized by the City therefrom (excluding any portion thereof payable to the United States of America or the State of California or required by the United States of America or the State of California to be deposited in a restricted fund) shall be deposited by the Treasurer in a special fund in trust and applied and disbursed by the Treasurer subject to the following conditions:

(a) If such eminent domain proceedings have had a material adverse effect upon the Revenues and the security of the Bonds, the City shall by resolution determine to apply such proceeds for one of the following purposes:

(1) The City may determine to apply such proceeds to the purchase, defeasance or redemption of Bonds then Outstanding. In that event, the Treasurer shall transfer such proceeds to the Fiscal Agent who shall apply such proceeds on a Proportionate Basis to the redemption, defeasance or purchase of Bonds of each Series then Outstanding in the proportion which the Bond Obligation amount of each Series bears to the aggregate Bond Obligation amount of all Bonds then Outstanding.

(2) The City may determine to apply such proceeds to the cost of additions or improvements to or extensions of the Enterprise if (A) the City first secures and files with the Fiscal Agent a written report of a Qualified Independent Consultant showing (i) the loss in annual Revenues, if any, suffered, or to be suffered, by the City by reason of such eminent domain proceedings, (ii) a general description of the additions, improvements or extensions then proposed to be acquired by the City from such proceeds, and (iii) an estimate of the additional Revenues to be derived from such additions, improvements or extensions; and (B) such written report states that such additional Revenues will sufficiently offset the loss of Revenues resulting from such eminent domain proceedings so that the ability of the City to meet its obligations hereunder will not be substantially impaired. The City shall then promptly proceed with the construction of the additions, improvements or extensions substantially in accordance with such written report. Payments for such construction shall be made

by the City from such proceeds. Any balance of such proceeds not required by the City for the purposes aforesaid shall be deposited in the Revenue Fund and applied as provided in Sections 5.01 and 5.02.

(b) If such eminent domain proceedings have had no effect, or at the most a relatively immaterial effect, upon the Revenues and the security of the Bonds, and a Qualified Independent Consultant so concludes in a written report filed with the Fiscal Agent, the City may determine to apply such proceeds to the costs of additions or improvements to or extensions of the Enterprise or may deposit such proceeds in the Revenue Fund, to be applied as provided in Sections 5.01 and 5.02.

SECTION 6.13. Amounts of Rates and Charges. (a) The City will, at all times while any of the Bonds remain outstanding, establish, fix, prescribe and collect rates, fees and charges in connection with the sewer services and facilities furnished by the Enterprise so as to yield Revenues at least sufficient to pay the following amounts:

(1) The interest on and principal of the Bonds as they become due and payable (but not including any interest moneys for the payment of which have been deposited in the Interest Fund from the proceeds of any Series of Bonds or from any other source).

(2) All other payments required for compliance with the terms of this Resolution and of any Supplemental Resolution providing for the issuance of additional Series of Bonds pursuant to Article III, including without limitation all payments and deposits required pursuant to Section 5.02 hereof.

(3) All other payments to meet any other obligations of the City which are charges, liens or encumbrances upon, or payable from, the Revenues.

(4) All current Maintenance and Operation Costs of the Enterprise (but not including such Maintenance and Operation Costs as are scheduled to be paid by the City from moneys other than Revenues, such moneys to be clearly available for such purpose).

(b) In addition to the requirements of the foregoing subsection (a), at all times while any of the Bonds remain outstanding, rates, fees and charges in connection with the sewer services and facilities furnished by the Enterprise shall be established, fixed, prescribed and collected during each Fiscal Year so as to yield Net Revenues (together with any fund balances of the Enterprise which are available for payment of Debt Service and are not budgeted to be expended during such period or during the periods for which such Debt Service is to be paid, but excluding the Bond Reserve Fund) during each Fiscal Year which are at least equal to 1.25 times the Annual Debt Service for said Fiscal Year (excluding any moneys set aside in the Interest Fund for the payment of the interest portion of such Annual Debt Service).

(c) The City may make adjustments from time to time in such rates, fees and charges and may make such classification thereof as it deems necessary, but shall not reduce such

rates, fees and charges below those then in effect unless the Revenues resulting after such reduced rates are put into effect will at all times be sufficient to meet the requirements of this Section.

SECTION 6.14. Compliance with Resolution. The City will faithfully observe and perform all the covenants, conditions and requirements of this Resolution, and will not suffer or permit any default to occur hereunder, or do or permit to be done, in, upon or about the Enterprise, or any part thereof, anything that might in any way weaken, diminish or impair the security intended to be given pursuant to this Resolution.

SECTION 6.15. Observance of Laws and Regulations. The City shall comply promptly, fully and faithfully with and abide by any statute, law, ordinance, order, rule or regulation, judgment, decree, direction or requirement now in force or hereafter enacted, adopted or entered by any competent governmental authority or agency applicable or with respect to or affecting the acquisition, construction or reconstruction of the Enterprise or any part thereof or applicable or with respect to or affecting the operation, manner, use or condition of the Enterprise or any part or parcel thereof or adjoining public ways; provided that the City need not comply with any such statute, law, ordinance, rule, regulation, judgment, decree, direction or requirement if and so long as the City in good faith shall be contesting or permitting or causing to be contested the applicability or validity thereof by appropriate proceedings diligently prosecuted, even though such contest may result in the imposition of a lien or charge against the Enterprise or the Revenues, if (1) the City shall effectively prevent foreclosure or enforcement of any such lien or charge and (2) the foreclosure or enforcement of any such lien or charge shall be stayed, and if said stay thereafter expires, the City shall forthwith discharge such lien or charge or cause the same to be discharged, so that pending such proceedings the Enterprise and the Revenues thereof shall not be affected thereby, and the security of the Bonds shall not be impaired.

SECTION 6.16. Prosecution and Defense of Suits. The City shall promptly from time to time take such action as may be necessary or proper to remedy or cure any defect in or cloud upon the title to the Enterprise hereafter developing, and shall prosecute all such suits, actions and other proceedings as may be appropriate for such purposes and, to the extent permitted by law, shall indemnify and save the Fiscal Agent and every Bondowner harmless from all loss, cost, damage and expense, including attorneys' fees, which they or any of them may incur by reason of any such defect, cloud, suit, action or proceeding.

The City shall defend against every suit, action or proceeding at any time brought against the Fiscal Agent or any Bondowner upon any claim arising out of the receipt, application or disbursement of any of the Revenues or involving the rights of the Fiscal Agent or any Bondowner under this Resolution; provided, that the Fiscal Agent or any Bondowner at its or his election may appear in and defend any such suit, action or proceeding. The City shall, to the extent permitted by law and without making any representation as to the enforceability of the covenants in this paragraph, indemnify and hold harmless the Fiscal Agent and the Bondowners against any and all liability claimed or asserted by any person arising out of such receipt, application or disbursement, and shall

indemnify and hold harmless the Bondowners against any attorneys' fees or other expenses which any of them may incur in connection with any litigation to which any of them may become a defendant by reason of his ownership of Bonds. The City, to the extent permitted by law, shall promptly reimburse any Bondowner in the full amount of any attorneys' fees or other expenses which he may incur in litigation or otherwise in order to enforce his rights under this Resolution or the Bonds, provided that such litigation shall be concluded favorably to such Bondowner's contentions therein. Notwithstanding any contrary provision hereof, this covenant shall remain in full force and effect, even though all indebtedness and obligations issued hereunder may have been fully paid and satisfied, until the City shall have been dissolved.

SECTION 6.17. Rebate and Tax Covenants.

(a) Rebate Fund. (1) The Fiscal Agent shall establish and maintain a fund separate from any other fund established and maintained hereunder designated as the "Series 1988A Bond Rebate Fund". Within the Rebate Fund, the Fiscal Agent shall maintain such accounts as are specified in the Rebate Certificate. Subject to the transfer provisions provided in paragraph (a)(5) below, all money at any time deposited in the Rebate Fund shall be held by the Fiscal Agent in trust, to the extent required to satisfy the Rebate Requirement (as such term is defined in the Rebate Certificate), for payment to the federal government of the United States of America, and neither the City nor the Owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section and by the Rebate Certificate (which is incorporated herein by reference). The Fiscal Agent shall be deemed conclusively to have complied with the provisions of this Section 6.17 and the Rebate Certificate if it follows the written directions of the City including supplying all necessary information in the manner provided in the Rebate Certificate, and except as otherwise expressly provided in the Resolution shall not be required to take any actions thereunder in the absence of written directions by the City, and shall have no liability or responsibility to enforce compliance by the City with the terms of the Rebate Certificate or this Section.

(2) Upon the City's written direction, an amount shall be deposited to the Rebate Fund by the Fiscal Agent from deposits by the City, if and to the extent required, so that the balance of the amount on deposit thereto shall be equal to the Rebate Requirement. Computations of the Rebate Requirement shall be furnished by or on behalf of the City in accordance with the Rebate Certificate.

(3) The Fiscal Agent shall have no obligation to rebate any amounts required to be rebated pursuant to this Section, other than from moneys held in the funds and accounts created under the Resolution or from other moneys provided to it by the City.

(4) The Fiscal Agent shall invest all amounts held in the Rebate Fund in Federal Securities as directed by the City, subject to the restrictions set forth in the Rebate Certificate. Money shall not be transferred from the Rebate Fund except as provided in paragraph (a)(5) below.

(5) Upon receipt of the City's written directions, the Fiscal Agent shall remit part or all of the balances in the Rebate Fund to the United States of America, as so directed. In addition, if the City so directs, the Fiscal Agent will deposit moneys into or transfer moneys out of the Rebate Fund from or into such accounts or funds as directed by the City's written directions. Any funds remaining in the Rebate Fund after redemption and payment of all of the Series 1988A Bonds and payment and satisfaction of any Rebate Requirement, or provision made therefor satisfactory to the Fiscal Agent, shall be withdrawn and remitted to the City.

(6) Notwithstanding any other provision of the Resolution, including in particular Article X, the obligation to remit the Rebate Requirement to the United States and to comply with all other requirements of this Section and the Rebate Certificate shall survive the defeasance or payment in full of the Series 1988A Bonds.

(b) Tax Covenants. The City will not directly or indirectly use or permit the use of any proceeds of the Series 1988A Bonds or any other funds of the City or take or omit to take any action that would cause the Series 1988A Bonds to be "private activity bonds" within the meaning of Section 141 of the Code, or obligations which are "federally guaranteed" within the meaning of Section 149(b) of the Code.

The City covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Series 1988A Bonds under Section 103 of the Code. The City will not directly or indirectly use or permit the use of any proceeds of the Series 1988A Bonds or any other funds of the City, or take or omit to take any action, that would cause the Series 1988A Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code. To that end, the City will comply with all requirements of Section 148 of the Code to the extent applicable to the Series 1988A Bonds. In the event that at any time the City is of the opinion that for purposes of this Section it is necessary to restrict or limit the yield on the investment of any moneys held by the Fiscal Agent under the Resolution or otherwise, the City shall so instruct the Fiscal Agent in writing, and the Fiscal Agent shall take such action as may be necessary in accordance with such instructions.

Without limiting the generality of the foregoing, the City agrees that there shall be paid from time to time all amounts required to be rebated to the United States of America pursuant to Section 148(f) of the Code and any temporary, proposed or final Treasury Regulations as may be applicable to the Series 1988A Bonds from time to time. This covenant shall survive payment in full or defeasance of the Series 1988A Bonds. The City specifically covenants to pay or cause to be paid to the United States of America at the times and in the amounts determined under this Section the Rebate Requirement, as described in the Rebate Certificate. The Fiscal Agent agrees to comply with all instructions of the City given in accordance with the Rebate Certificate.

Notwithstanding any provision of this Section, if the City shall provide to the Fiscal Agent an opinion of nationally recognized bond counsel to the effect that any action required

under this Section is no longer required, or to the effect that some further action is required, to maintain the exclusion from gross income of the interest on the Bonds pursuant to Section 103 of the Code, the City and the Fiscal Agent may rely conclusively on such opinion in complying with the provisions hereof, and the covenants hereunder shall be deemed to be modified to that extent.

None of the covenants of the City or the Fiscal Agent contained herein relating to the exclusion from gross income of interest on Bonds under Section 103 of the Code shall be applicable to or prevent the issuance of Bonds issued by the City and specifically designated by the City as not being issued in compliance with Section 103 of the Code.

SECTION 6.18. Governmental Approvals. The City will perform any construction, reconstructions and restorations of, improvements, betterments and extensions to, and equippings and furnishings of, and will operate and maintain the Enterprise at standards required in order that the same may continue to be approved by the proper and competent authority or authorities of the State of California as a public municipal sewage treatment and disposal system.

SECTION 6.19. Compliance With Terms of Grants-in-aid. The City shall comply with the requirements of any grants-in-aid received by the City.

SECTION 6.20. Incontestability of Bonds. From and after the sale and delivery of any of the Bonds by the City, the Bonds shall be incontestable by the City.

SECTION 6.21. Further Assurances. Whenever and so often as requested so to do by the Fiscal Agent or any Bondowner, the City will promptly execute and deliver or cause to be executed and delivered all such other and further instruments, documents or assurances, and promptly do or cause to be done all such other and further things, as may be necessary or reasonably required in order to further and more fully vest in the Fiscal Agent and the Bondowners all rights, interest, powers, benefits, privileges and advantages conferred or intended to be conferred upon them by this Resolution.

ARTICLE VII

EVENTS OF DEFAULT AND REMEDIES OF BONDOWNERS

SECTION 7.01. Events of Default; Acceleration; Waiver of Default. If one or more of the following events (herein called "Events of Default") shall happen, that is to say--

(a) if default shall be made in the due and punctual payment of the principal of, or the premium (if any) on, any Bond when and as the same shall become due and payable, whether at maturity as therein expressed, by proceedings for redemption, by declaration or otherwise, or if default shall be made in the redemption from any Sinking Fund Account of any Term Bonds in the amounts and at the times provided therefor;

(b) if default shall be made in the due and punctual payment of any installment of interest on any Bond when and as such interest installment shall become due and payable;

(c) if default shall be made by the City in the observance of any of the other covenants, agreements or conditions on its part in this Resolution or in the Bonds contained, and such default shall have continued for a period of sixty days after written notice thereof, specifying such default and requiring the same to be remedied, shall have been given to the City by the Fiscal Agent or by a Credit Provider, or to the City and the Fiscal Agent by the Owners of not less than twenty-five percent (25%) of the Bond Obligation; or

(d) if the City shall file a petition or answer seeking reorganization or arrangement under the federal bankruptcy laws or any other applicable law of the United States of America, or if a court of competent jurisdiction shall approve a petition, filed with or without the consent of the City, as the case may be, seeking reorganization under the federal bankruptcy laws or any other applicable law of the United States of America, or if, under the provisions of any other law for the relief or aid of debtors, any court of competent jurisdiction shall assume custody or control of the City or of the whole or any substantial part of the property of the City;

then and in each and every such case during the continuance of such Event of Default, the Fiscal Agent may, and upon the written request of the Owners of not less than a majority in aggregate amount of the Bond Obligation or of a Credit Provider shall, upon notice in writing to the City, declare the principal of all of the Current Interest Bonds then Outstanding, and the interest accrued thereon, and of all Capital Appreciation Bonds then Outstanding, in the amount of the Accreted Value thereof, to be due and payable immediately, and upon any such declaration the same shall become and shall be immediately due and payable, anything in this Resolution or in the Bonds contained to the contrary notwithstanding.

This provision, however, is subject to the condition that if, at any time after the principal of the Bonds shall have been so declared due and payable, and before any judgment or decree for the payment of the moneys due shall have been obtained or entered as hereinafter provided, the City shall deposit with the Fiscal Agent a sum sufficient to pay all principal and Accreted Value of the Bonds maturing prior to such declaration and all matured installments of interest (if any) upon all the Current Interest Bonds, with interest on such overdue payments of principal and Accreted Value and interest installments at the rate or rates of interest borne by the respective Bonds, and the reasonable expenses of the Fiscal Agent, and any and all other defaults known to the Fiscal Agent (other than in the payment of principal and Accreted Value of and interest on the Bonds due and payable solely by reason of such declaration) shall have been made good or cured to the satisfaction of the Fiscal Agent, or provision deemed by the Fiscal Agent to be adequate shall have been made therefor, then, and in every such case, (i) if such declaration shall have been made by the Fiscal Agent, the Fiscal Agent, or (ii) if such declaration shall have been made upon the written request of Bondowners, the Owners of not less than a majority in aggregate amount

of the Bond Obligation of the Bonds then Outstanding, or (iii) if such declaration shall have been made upon the written request of a Credit Provider, such Credit Provider, may, by written notice to the City and, in cases (ii) and (iii) above, to the Fiscal Agent, on behalf of the Owners of all of the Bonds, rescind and annul such declaration and its consequences; but no such rescission and annulment shall extend to or shall affect any subsequent default, or shall impair or exhaust any right or power consequent thereon.

SECTION 7.02. Application of Funds upon Acceleration. All of the Net Revenues, including all sums in all of the funds provided for in Sections 3.02, 3.03, 5.01, 5.02 and 5.03 upon the date of the declaration of acceleration as provided in Section 7.01 and all sums thereafter received by the City or the Fiscal Agent hereunder, shall, if received by the City, be transmitted to the Fiscal Agent and be applied by the Fiscal Agent in the order following, upon presentation of the several Bonds, and the stamping thereon of the payment if only partially paid, or upon the surrender thereof if fully paid--

First, to the payment of the costs and expenses of the Bondowners in declaring such Event of Default, including reasonable compensation to their agents, attorneys and counsel; and to the payment of the costs and expenses of the Fiscal Agent, including but not limited to reasonable compensation to its agents, attorneys and counsel;

Second, to the payment of the whole amount of Bond Obligation then owing and unpaid upon the Bonds, with interest on, with respect to the Current Interest Bonds, the overdue principal and installments of interest, and, with respect to the Capital Appreciation Bonds, the Accreted Value thereof, at the rate or rates of interest borne by the respective Bonds, and in case such moneys shall be insufficient to pay in full the whole amount so owing and unpaid upon the Bonds, then to the payment of such principal and interest and Accreted Value without preference or priority of principal over interest, or of interest over principal, or of any installment of interest over any other installment of interest, ratably to the aggregate of such principal and interest and Accreted Value; and

Third, to the payment of all Policy Costs, and in case such moneys shall be insufficient to pay in full all Policy Costs owing and unpaid, then to the payment of such Policy Costs pro rata (calculated by reference to the maximum amounts available under the respective Bond Reserve Fund Policies).

SECTION 7.03. Suits at Law or in Equity and Mandamus. In case one or more of the Events of Default shall happen, then and in every such case the Owner of any Bond at the time Outstanding shall be entitled to proceed to protect and enforce the rights vested in such Owner by this Resolution by such appropriate judicial proceeding as such Owner shall deem most effectual to protect and enforce any such right, either by suit in equity or by action at law, whether for the specific performance of any covenant or agreement contained in this Resolution, or in aid of the exercise of any power granted in this Resolution, or to enforce any other legal or equitable right vested in the Owners of Bonds by this Resolution or by law; provided, however, that no such Bondowner shall have the right to institute any

such judicial proceeding pursuant to this Section unless (a) such Owner shall have previously given to the Fiscal Agent written notice of the occurrence of an Event of Default hereunder; (b) the Owners of at least ten percent (10%) in aggregate amount of Bond Obligation of the Bonds then Outstanding shall have made written request to the Fiscal Agent to exercise the powers herein granted or to institute such action, suit or proceeding in its own name; (c) such Owner or said Owners shall have tendered to the Fiscal Agent reasonable indemnity against the costs, expenses and liabilities to be incurred in compliance with such request; (d) the Fiscal Agent shall have refused or omitted to comply with such request for a period of sixty (60) days after such written request shall have been received by, and said tender of indemnity shall have been made to, the Fiscal Agent; and (e) the Fiscal Agent shall not have received contrary directions from the Owners of a majority in aggregate amount of Bond Obligation of the Bonds Outstanding. The provisions of this Resolution shall constitute a contract with the Owners of the Bonds, and such contract and duties of the City and of the officers and employees of the City shall be enforceable by any Bondowner by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction.

SECTION 7.04. Non-waiver. Nothing in this Article or in any other provision of this Resolution, or in the Bonds, shall affect or impair the obligation of the City, which is absolute and unconditional, to pay the principal of and the interest (and premium, if any) on the Bonds to the respective Owners of the Bonds at the respective dates of maturity, or upon call for redemption, as herein provided, but only out of the Net Revenues herein pledged for such payments, or affect or impair the right of action, which is also absolute and unconditional, of such Owners to institute suit to enforce such payment by virtue of the contract embodied in the Bonds.

A waiver of any default or breach of duty or contract by any Bondowner shall not affect any subsequent default or breach of duty or contract, or impair any rights or remedies on the subsequent default or breach. No delay or omission of the Fiscal Agent or of any Owner of any of the Bonds to exercise any right or power arising upon the happening of any Event of Default shall impair any such right or power or shall be construed to be a waiver of any such Event of Default or an acquiescence therein, and every power and remedy given by the Law or this Article to the Fiscal Agent or to the Owners of Bonds may be exercised from time to time and as often as shall be deemed expedient by the Fiscal Agent or the Owners of Bonds.

If a suit, action or proceeding to enforce any right or exercise any remedy is abandoned or determined adversely to the Bondowners, the City and the Bondowners shall be restored to their former positions, rights and remedies as if such suit, action or proceeding had not been brought or taken.

SECTION 7.05. Actions by Fiscal Agent as Attorney-in-Fact. Any suit, action or proceeding which any Owner of Bonds shall have the right to bring to enforce any right or remedy hereunder may be brought by the Fiscal Agent for the equal benefit and protection of all Owners of Bonds similarly situated (notwithstanding any conditions upon the bringing of any such action, suit or proceeding set forth in Section 7.03) and the Fiscal Agent is hereby

appointed (and the successive respective Owners of the Bonds issued hereunder, by taking and holding the same, shall be conclusively deemed so to have appointed it) the true and lawful attorney-in-fact of the respective Owners of the Bonds for the purpose of bringing any such suit, action, or proceeding and to do and perform any and all acts and things for and in behalf of the respective Owners of the Bonds as a class or classes, as may be necessary or advisable in the opinion of the Fiscal Agent as such attorney-in-fact.

SECTION 7.06. Remedies Not Exclusive. No remedy herein conferred upon or reserved to the Fiscal Agent or to the Owners of Bonds is intended to be exclusive of any other remedy. Every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing, at law or in equity or by statute or otherwise and may be exercised without exhausting and without regard to any other remedy conferred by the Law or any other law.

SECTION 7.07. Power of Fiscal Agent to Control Proceedings. In the event that the Fiscal Agent, upon the happening of an Event of Default, shall have taken any action, by judicial proceedings or otherwise, pursuant to its duties hereunder, whether upon its own discretion or upon the request of the Owners of at least ten percent (10%) in aggregate amount of the Bond Obligation, it shall have full power, in the exercise of its discretion for the best interests of the Owners of the Bonds, with respect to the continuance, discontinuance, withdrawal, compromise, settlement or other disposal of such action; provided, however, that the Fiscal Agent shall not, unless there no longer continues an Event of Default hereunder, discontinue, withdraw, compromise or settle, or otherwise dispose of any litigation pending at law or in equity, if at the time there has been filed with it a written request signed by the Owners of at least a majority in aggregate amount of the Bond Obligation hereunder opposing such discontinuance, withdrawal, compromise, settlement or other disposal of such litigation.

SECTION 7.08. Remedies of Reserve Provider. If the City fails to pay Policy Costs to a Reserve Provider to the extent and at the times required by the provisions of Section 5.02(c) and such failure continues for 30 days after written notice of such default is received by the City and the Fiscal Agent from such Reserve Provider or if an Event of Default set forth in Section 7.01(d) shall occur and be continuing, then the Reserve Provider may exercise any remedy provided hereunder to the Fiscal Agent or available at law or in equity to protect and enforce its right to receive payment of Policy Costs; provided, that, in no event, shall the Reserve Provider be able to declare the principal and Accreted Value of the Bonds and the interest accrued thereon to be due and payable immediately or to exercise any remedy that the Fiscal Agent, in its sole discretion, determines would adversely affect the Bondowners.

ARTICLE VIII

THE FISCAL AGENT

SECTION 8.01. Appointment and Duties of Fiscal Agent. Bank of America National Trust and Savings Association is hereby appointed Fiscal Agent for the City to act as the depositary of the City for the purpose of receiving all moneys which the City is required to deposit with the Fiscal Agent hereunder, and to allocate, use and apply the same as provided in this Resolution. The City agrees that it will maintain a Fiscal Agent having an office in San Francisco, California, so long as any Bonds are Outstanding and unpaid.

The Fiscal Agent shall, prior to an Event of Default, and after the curing of all Events of Default which may have occurred, perform such duties and only such duties as are specifically set forth in this Resolution. The Fiscal Agent shall, during the existence of any Event of Default (which has not been cured), exercise such of the rights and powers vested in it by this Resolution, and use the same degree of care and skill in their exercise, as a prudent man would exercise or use under the circumstances in the conduct of his own affairs.

So long as there is no Event of Default hereunder, the City may remove the Fiscal Agent, by giving written notice to such Fiscal Agent and by giving Bondowners notice by mail, first class postage prepaid, of such removal, and any successor thereto, and may appoint a successor or successors thereto; provided that any such successor shall be a bank or trust company doing business and having an office in San Francisco, California, having a combined capital and surplus of at least one hundred million dollars ($100,000,000), and subject to supervision or examination by federal or state authority. If such bank or trust company publishes a report of condition at least annually, pursuant to law or to the requirements of any supervising or examining authority above referred to, then for the purpose of this Section the combined capital and surplus of such bank or trust company shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published.

The Fiscal Agent may at any time resign by giving written notice to the City and by giving the Bondowners notice by mail, first class postage prepaid, of such resignation. Upon receiving such notice of resignation, the City shall promptly appoint a successor Fiscal Agent by an instrument in writing. Any resignation or removal of the Fiscal Agent and appointment of a successor Fiscal Agent shall become effective upon acceptance of appointment by the successor Fiscal Agent. If no successor Fiscal Agent shall have been appointed and have accepted appointment within forty-five days of giving notice of removal or notice of resignation as aforesaid, the resigning Fiscal Agent or any Bondowner (on behalf of himself and all other Bondowners) may petition any court of competent jurisdiction for the appointment of a successor Fiscal Agent, and such court may thereupon, after such notice (if any) as it may deem proper, appoint such successor Fiscal Agent.

Any company into which the Fiscal Agent may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or

consolidation to which it shall be a party or any company to which the Fiscal Agent may sell or transfer all or substantially all of its corporate trust business, provided such company shall be eligible under this Section 8.01, shall be the successor to such Fiscal Agent without the execution or filing of any paper or any further act, anything herein to the contrary notwithstanding.

SECTION 8.02. Authorization of Fiscal Agent. The Fiscal Agent is hereby authorized to pay the principal of and interest and redemption premium, if any, on the Bonds when due and payable, or on call and redemption or on purchase by the Fiscal Agent prior to maturity, and to cancel all Bonds upon payment thereof and to return the same so cancelled to the City, subject to the provisions of Section 11.05. The Fiscal Agent shall keep accurate records of all funds administered by it and of all Bonds and interest payments paid and discharged.

The Fiscal Agent and its directors, officers, employees or agents may in good faith buy, sell, own, hold and deal in any of the Bonds and may join in any action which any Owner of a Bond may be entitled to take, with like effect as if the Fiscal Agent was not the Fiscal Agent under this Resolution. The Fiscal Agent may in good faith hold any other form of indebtedness of the City, own, accept or negotiate any drafts, bills of exchange, acceptances or obligations of the City and make disbursements for the City and enter into any commercial or business arrangement therewith, without limitation.

SECTION 8.03. Fees and Expenses. The City shall compensate the Fiscal Agent for its services rendered pursuant to the provisions of this Resolution, and also for all reasonable expenses, charges, counsel fees and other disbursements, including those of its attorneys, agents and employees, incurred in and about the performance of its powers and duties under this Resolution. The obligations of the City under this Section to compensate the Fiscal Agent for services and to pay or reimburse the Fiscal Agent for disbursements, liabilities and advances shall constitute additional indebtedness hereunder.

SECTION 8.04. Liability of Fiscal Agent. The recitals of facts, covenants and agreements herein and in the Bonds contained shall be taken as statements, covenants and agreements of the City, and the Fiscal Agent assumes no responsibility for the correctness of the same, does not make any representations as to the validity or sufficiency of this Resolution or of the Bonds, and shall not incur any responsibility in respect thereof, other than in connection with the duties or obligations herein or in the Bonds expressly assigned to or imposed upon it. The Fiscal Agent shall not be liable in connection with the performance of its duties hereunder, except for its own negligence or default.

The Fiscal Agent shall not be liable for any error of judgment made in good faith by a responsible officer, unless it shall be proved that the Fiscal Agent was negligent in ascertaining the pertinent facts.

The Fiscal Agent shall not be liable with respect to any action taken or omitted to be taken by it in good faith in accordance with the direction of the Owners of not less than a

majority in aggregate amount of Bond Obligations of the Bonds at the time Outstanding relating to the time, method and place of conducting any proceeding for any remedy available to the Fiscal Agent, or exercising any trust or power conferred upon the Fiscal Agent under this Resolution.

The Fiscal Agent shall be under no obligation to exercise any of the rights or powers vested in it by this Resolution at the request, order or direction of any of the Bondowners pursuant to the provisions of this Resolution unless such Bondowners shall have offered to the Fiscal Agent reasonable security or indemnity against the costs, expenses and liabilities which may be incurred therein or thereby.

The Fiscal Agent shall not be liable for any action taken by it in good faith and believed by it to be authorized or within the discretion or rights or powers conferred upon it by this Resolution.

The Fiscal Agent shall not be deemed to have knowledge of any Event of Default hereunder unless and until it shall have actual knowledge thereof, or shall have received written notice thereof, at its principal corporate trust office in San Francisco, California. Except as otherwise expressly provided herein, the Fiscal Agent shall not be bound to ascertain or inquire as to the performance or observance of any of the terms, conditions, covenants or agreements herein or of any of the documents executed in connection with the Bonds or the delivery of the Bonds, or as to the existence of an Event of Default thereunder. The Fiscal Agent shall not be responsible for the validity or effectiveness of any collateral given to or held by it. The Fiscal Agent shall not be responsible for the recording or filing of any document relating to this Resolution or of financing statements (or continuation statements in connection therewith) or of any supplemental instruments or documents of further assurance as may be required by law in order to perfect the security interests in any collateral given to or held by it.

No provision of this Resolution shall require the Fiscal Agent to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers.

The City further agrees to indemnify, to the extent permitted by law and without making any representation as to the enforceability of this covenant, and save the Fiscal Agent, its directors, officers, employees and agents harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder, including but not limited to costs and expenses incurred in defending against any claim or liability, which are not due to its negligence or default.

The provisions of this Section 8.04 shall survive the resignation or removal of the Fiscal Agent, payment of the Bonds and discharge of this Resolution.

SECTION 8.05. Rights of Fiscal Agent to Rely Upon Documents. The Fiscal Agent shall be protected in acting upon any notice, resolution, request, consent, order, certificate,

report, direction, Bond or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties. The Fiscal Agent may consult with counsel, who may be counsel to the City, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered hereunder in good faith and in accordance therewith.

The Fiscal Agent shall not be bound to recognize any person as the Owner of a Bond unless and until his title thereto is satisfactorily established, if disputed.

Whenever in the administration of its duties under this Resolution the Fiscal Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of bad faith on the part of the Fiscal Agent, be deemed to be conclusively proved and established by a Certificate of the City, and such Certificate shall be full warrant to the Fiscal Agent for any action taken or suffered under the provisions of this Resolution or any Supplemental Resolution upon the faith thereof, but in its discretion the Fiscal Agent may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may seem reasonable.

ARTICLE IX

MODIFICATION OR AMENDMENT OF THE RESOLUTION

SECTION 9.01. Amendments Permitted. (a)(1) This Resolution and the rights and obligations of the City and of the Owners of the Bonds and of the Fiscal Agent may be modified or amended at any time by a Supplemental Resolution which shall become binding when the written consents of the Owners of a majority in aggregate amount of the Bond Obligation of the Bonds (or, if such Supplemental Resolution is only applicable to a Series of Bonds, such Series of Bonds) then Outstanding, exclusive of Bonds disqualified as provided in Section 9.03 hereof, and, subject to Section 11.09 hereof, of each Credit Provider and each Reserve Provider shall have been filed with the Fiscal Agent (provided, that no such Credit Provider or Reserve Provider shall unreasonably withhold consent to such modification or amendment). (2) This Resolution and the rights and obligations of the City and of the Owners of the Bonds and of the Fiscal Agent may also be modified or amended at any time by a Supplemental Resolution which shall become binding when the Reserve Provider shall have been filed with the Fiscal Agent, provided that at such time the payment of the principal of and interest on all Outstanding Bonds shall be insured by a policy or policies of municipal bond insurance or payable under a Letter of Credit issued by a Credit Provider. (3) No such modification or amendment shall (A) extend the fixed maturities of the Bonds, or extend the time for making any Minimum Sinking Fund Account Payments, or reduce the rate of interest thereon, or extend the time of payment of interest, or reduce the amount of principal thereof, or reduce any premium payable on the redemption thereof, without the consent of the Owner of each Bond so affected, or (B) reduce the aforesaid percentage of the Bond Obligation the consent of the Owners of which is required for the

execution of any amendment or modification of this Resolution, or (C) modify any of the rights or obligations of the Fiscal Agent without its written consent thereto.

(b) This Resolution and the rights and obligations of the City and of the Owners of the Bonds may also be modified or amended at any time by a Supplemental Resolution which shall become binding upon adoption, without the consent of any Bondowners or any Credit Provider, but only to the extent permitted by law and only if the Fiscal Agent determines, which determination may be based upon a good faith reliance upon an Opinion of Counsel, that the provisions of such Supplemental Resolution shall not materially adversely affect the interests of the Owners, including, without limitation, for any one or more of the following purposes --

(1) to add to the covenants and agreements of the City in this Resolution contained other covenants and agreements thereafter to be observed or to surrender any right or power herein reserved to or conferred upon the City;

(2) to cure, correct or supplement any ambiguous or defective provision or omission or mistake contained in this Resolution or in regard to questions arising under this Resolution, as the City may deem necessary or desirable;

(3) to provide for the issuance of additional Series of Bonds, and to provide the terms and conditions under which such additional Series of Bonds may be issued, subject to and in accordance with the provisions of Article III.

SECTION 9.02. Procedure for Amendment with Written Consent of Bondowners. The City may at any time adopt a Supplemental Resolution amending the provisions of the Bonds or of this Resolution or any Supplemental Resolution, to the extent that such amendment is permitted by Section 9.01(a)(1), to take effect when and as provided in this Section. A copy of or a summary of the provisions of such Supplemental Resolution, together with a request to Bondowners and to each Credit Provider for their consent thereto, shall be mailed, first class postage prepaid, by the City to each Owner of Bonds and to each Credit Provider, but failure to mail copies of such Supplemental Resolution or summary thereof and request shall not affect the validity of the Supplemental Resolution when assented to as in this Section provided.

Such Supplemental Resolution shall not become effective unless there shall be filed with the Fiscal Agent the written consents of the Owners of a majority in aggregate amount of the Bond Obligation of the Bonds then Outstanding (exclusive of Bonds disqualified as provided in Section 9.03) and of each Credit Provider and a notice shall have been mailed as hereinafter in this Section provided. Each such consent shall be effective only if accompanied by proof of ownership of the Bonds for which such consent is given, which proof shall be such as is permitted by Section 11.08. Any such consent shall be binding upon the Owner of the Bonds giving such consent and on any subsequent Owner (whether or not such subsequent Owner has notice thereof) unless such consent is revoked in writing by the Owner giving such consent or a subsequent Owner by filing such revocation with the

Fiscal Agent prior to the date when the notice hereinafter in this Section provided for has been mailed.

After the Owners of the required percentage of Bond Obligation and each Credit Provider shall have filed their consents to the Supplemental Resolution, the City shall mail a notice to the Bondowners in the manner hereinbefore provided in this Section for the mailing of the Supplemental Resolution, stating in substance that the Supplemental Resolution has been consented to by the Owners of the required percentage of Bond Obligation and each Credit Provider and will be effective as provided in this Section (but failure to mail copies of said notice shall not affect the validity of the Supplemental Resolution or consents thereto), and proof of the mailing of such notice shall be filed with the Fiscal Agent. A record, consisting of the papers required by this Section to be filed with the Fiscal Agent, shall be proof of the matters therein stated until the contrary is proved. The Supplemental Resolution shall become effective upon the filing with the Fiscal Agent of the proof of the mailing of such last-mentioned notice.

In lieu of obtaining any demand, request, direction, consent or waiver in writing, the Fiscal Agent may call and hold a meeting of the Bondowners upon such notice and in accordance with such rules and regulations as the Fiscal Agent considers fair and reasonable for the purpose of obtaining any such action.

SECTION 9.03. Disqualified Bonds. Bonds owned or held by or for the account of the City (but excluding Bonds held in any pension or retirement fund) shall not be deemed Outstanding for the purpose of any consent or other action or any calculation of Outstanding Bonds provided for in this Article or Resolution, and shall not be entitled to consent to or take any other action provided for in this Article or Resolution. For the purpose hereof no bank organized under the laws of the State of California and no national banking association doing business in said State, or elsewhere, shall be deemed to be an agency of the City.

The City may adopt appropriate regulations to require each Bondowner, before his consent provided for in this Article shall be deemed effective, to reveal if the Bonds as to which such consent is given are disqualified as provided in this Section.

SECTION 9.04. Effect of Supplemental Resolution. From and after the time any Supplemental Resolution becomes effective pursuant to this Article, this Resolution shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties and obligations under this Resolution of the City, the Fiscal Agent and all Owners of Bonds Outstanding shall thereafter be determined, exercised and enforced hereunder subject in all respects to such modification and amendment, and all the terms and conditions of any such Supplemental Resolution shall be deemed to be part of the terms and conditions of this Resolution for any and all purposes.

SECTION 9.05. Endorsement or Replacement of Bonds Issued Before Amendments. The City may determine that Bonds issued and delivered before the effective date of any action taken as provided in this Article shall bear a notation, by endorsement or otherwise, in

form approved by the City, as to such action. In that case, upon demand of the Owner of any Bond Outstanding at such effective date and presentation of his Bond for the purpose at the office of the City or at such other office as the City may select and designate for that purpose, a suitable notation shall be made on such Bond. The City may determine that new Bonds, so modified as in the opinion of the City is necessary to conform to such action, shall be prepared, executed and delivered. In that case, upon demand of the Owner of any Bonds then Outstanding, such new Bonds shall be exchanged at the principal corporate trust office of the Fiscal Agent in San Francisco, California, without cost to such Owner, for Bonds of the same character then Outstanding, upon surrender of such Bonds.

SECTION 9.06. Amendatory Endorsement of Bonds. The provisions of this Article shall not prevent any Bondowner from accepting any amendment as to the particular Bonds held by such Bondowner, provided that due notation thereof is made on such Bonds.

ARTICLE X

DEFEASANCE

SECTION 10.01. Discharge of Resolution. If the City shall pay and discharge the entire indebtedness on all Bonds Outstanding in any one or more of the following ways--

(a) by well and truly paying or causing to be paid the principal of (including redemption premiums, if any) and interest on all Bonds Outstanding, as and when the same become due and payable (but this clause shall not include Bonds the principal of or interest on which has been paid by a Municipal Bond Insurer until said principal and interest shall have been paid by the City); or

(b) by depositing with the Fiscal Agent, an escrow agent or other fiduciary, in trust, at or before maturity, money which, together with the amounts then on deposit in the Principal Fund, the Interest Fund and the Bond Reserve Fund, is fully sufficient to pay or redeem all Bonds Outstanding, including all principal, interest and redemption premiums, if any; or

(c) by delivering to the Fiscal Agent, for cancellation by it, all Bonds Outstanding; or

(d) by depositing with the Fiscal Agent, an escrow agent or other fiduciary, in trust, Federal Securities or general obligation bonds of the State of California in such amount which, in the determination of an Independent Certified Public Accountant, who shall certify such determination to the Fiscal Agent, shall, together with the income or increment to accrue thereon and any other moneys of the City made available for such purpose, be fully sufficient to pay and discharge the indebtedness on all Bonds (including all principal, interest and redemption premiums, if any) at or before their respective maturity dates;

and if the City shall also pay or cause to be paid all other sums payable hereunder by the City, including all Policy Costs, then and in that case, at the election of the City (evidenced by a Certificate of the City signifying its intention to pay and discharge all such indebtedness, which shall be filed with the Fiscal Agent), and notwithstanding that any Bonds shall not have been surrendered for payment, the pledge of Net Revenues and other funds provided for in this Resolution and all other obligations of the City under this Resolution shall cease, terminate and be completely discharged, except only as provided in Section 10.02, and the Owners of the Bonds not so surrendered and paid shall thereafter be entitled to payment only out of the money or Federal Securities or general obligation bonds of the State of California deposited with the Fiscal Agent, escrow agent or other fiduciary as aforesaid for their payment; subject, however, to the provisions of Section 10.03. The discharge of the obligations of the City under this Resolution shall be without prejudice to the rights of the Fiscal Agent to charge for and be reimbursed by the City for any expenditures which it may thereafter incur in connection herewith.

The City may at any time surrender to the Fiscal Agent for cancellation by it any Bonds previously issued and delivered, which the City may have acquired in any manner whatsoever, and such Bonds, upon such surrender and cancellation, shall be deemed to be paid and retired.

SECTION 10.02. Discharge of Liability on Bonds. Upon the deposit with the Fiscal Agent, an escrow agent or other fiduciary, in trust, at or before maturity, of money or Federal Securities or general obligation bonds of the State of California in the necessary amount to pay or redeem Outstanding Bonds (whether upon or prior to their maturity or the redemption date of such Bonds), provided that if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been given as in Article IV provided or provision satisfactory to the Fiscal Agent shall have been made for the giving of such notice, then all liability of the City in respect of such Bonds shall cease, determine and be completely discharged, except only that thereafter the Owners thereof shall be entitled to payment of the principal of and interest on such Bonds by the City, and the City shall remain liable for such payment, but only out of the money or Federal Securities or general obligation bonds of the State of California deposited in an escrow fund established for this purpose and held by the Fiscal Agent, an escrow agent, or other fiduciary, as aforesaid for their payment, subject, however, to the provisions of Section 10.03.

SECTION 10.03. Payment of Bonds after Discharge of Resolution. Notwithstanding any provisions of this Resolution, any moneys deposited in trust for the payment of the principal of, or interest or premium on, any Bonds and remaining unclaimed for two years after the principal of all the Outstanding Bonds has become due and payable (whether at maturity or upon call for redemption or by declaration as provided in this Resolution) shall then be repaid to the City upon its Written Request, and the Owners of such Bonds shall thereafter be entitled to look only to the City for payment thereof, and all liability of the Fiscal Agent or any other fiduciary with respect to such moneys shall thereupon cease; provided, however, that before the repayment of such moneys to the City as aforesaid, the Fiscal Agent may (at the cost of the City) first publish at least once in a Financial Newspaper

or Journal a notice, in such form as may be deemed appropriate by the Fiscal Agent, with respect to the Bonds so payable and not presented and with respect to the provisions relating to the repayment to the City of the moneys held for the payment thereof. In the event of the repayment of any such moneys to the City as aforesaid, the Owners of the Bonds in respect of which such moneys were deposited shall thereafter be deemed to be general creditors of the City for amounts equivalent to the respective amounts deposited for the payment of such Bonds and so repaid to the City (without interest thereon).

ARTICLE XI

MISCELLANEOUS

SECTION 11.01. Liability of City Limited to Net Revenues. Notwithstanding anything in this Resolution contained, the City shall not be required to advance any moneys derived from the proceeds of any taxes levied or collected by the City, or from any source of income other than the Revenues, for the payment of the principal of or interest on the Bonds, for the operation and maintenance of the Enterprise, for the performance of any covenants herein contained or for the payment of any obligations hereunder, including indemnification. The City may, however, advance funds for any such purpose, provided that such funds are derived from a source legally available for such purpose and may be used by the City for such purpose without incurring indebtedness.

The Bonds shall be revenue bonds, payable exclusively from the Net Revenues as in this Resolution provided. The general fund of the City is not liable, and the credit or taxing power of the City is not pledged, for the payment of the Bonds or their interest. The Owners of the Bonds shall never have the right to compel the exercise of the taxing power of the City or the forfeiture of any property of the City. The principal of and interest on the Bonds and any premiums upon the redemption of any thereof shall not be a debt of the City, nor a legal or equitable pledge, charge, lien or encumbrance upon any property of the City or upon any of its income, receipts or revenues except the Net Revenues pledged to the payment thereof as in this Resolution provided.

SECTION 11.02. Successor Is Deemed Included in All References to Predecessor. Whenever in this Resolution or any Supplemental Resolution either the City or the Fiscal Agent is named or referred to, such reference shall be deemed to include the successors or assigns thereof, and all the covenants and agreements in this Resolution contained by or on behalf of the City or the Fiscal Agent shall bind and inure to the benefit of the respective successors and assigns thereof whether so expressed or not.

SECTION 11.03. Limitation of Rights to Parties and Bondowners. Nothing in this Resolution or in the Bonds expressed or implied is intended or shall be construed to give to any person, other than the City, the Fiscal Agent, the Reserve Provider, the Credit Provider and the Owners of the Bonds issued hereunder, any legal or equitable right, remedy or claim under or in respect of this Resolution or any covenant, condition or provision therein or

herein contained; and all such covenants, conditions and provisions are and shall be held to be for the sole and exclusive benefit of the City, the Fiscal Agent, the Reserve Provider, the Credit Provider and the Owners of the Bonds issued hereunder.

SECTION 11.04. Waiver of Notice. Whenever in this Resolution the giving of notice by mail or otherwise is required, the giving of such notice may be waived in writing by the person entitled to receive such notice and in any such case the giving or receipt of such notice shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 11.05. Destruction of Bonds. Whenever in this Resolution provision is made for the cancellation by the Fiscal Agent and the delivery to the City of any Bonds, the Fiscal Agent may destroy such Bonds (in the presence of an officer of the City, if the City shall so require), and deliver a certificate of such destruction to the City, unless the City shall, by Written Request of the City, request the Fiscal Agent to instead cancel and deliver said Bonds to the City.

SECTION 11.06. Severability of Invalid Provisions. If any one or more of the provisions contained in this Resolution or in the Bonds shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions contained in this Resolution and such invalidity, illegality or unenforceability shall not affect any other provision of this Resolution, and this Resolution shall be construed as if such invalid or illegal or unenforceable provision had never been contained herein. The City hereby declares that it would have adopted this Resolution and each and every other Section, paragraph, sentence, clause or phrase hereof and authorized the issuance of the Bonds pursuant thereto irrespective of the fact that any one or more Sections, paragraphs, sentences, clauses or phrases of this Resolution may be held illegal, invalid or unenforceable. If, by reason of the judgment of any court, the Fiscal Agent or any successor Fiscal Agent is rendered unable to perform its duties hereunder, and if no successor Fiscal Agent be then appointed, all such duties and all of the rights and powers of the Fiscal Agent hereunder shall be assumed by and vest in the Treasurer in trust for the benefit of the Bondowners.

SECTION 11.07. Notice to City and Fiscal Agent. Any notice to or demand upon the Fiscal Agent may be served or presented, and such demand may be made, at the corporate trust office of the Fiscal Agent in San Francisco, California, which at the date of adoption of this Resolution is located at One Embarcadero Center, 20th Floor, San Francisco, California 94111, Attention: Corporate Trust and Agency Group, or at such other address as may have been filed in writing by the Fiscal Agent with the City. Any notice to or demand upon the City shall be deemed to have been sufficiently given or served for all purposes by being deposited, postage prepaid, in a post office letter box, addressed to the City c/o the Office of the Chief Administrative Office, 289 City Hall, San Francisco, California 94102, or to the City at such other address as may be filed in writing by the City with the Fiscal Agent.

SECTION 11.08. Evidence of Rights of Bondowners. Any request, consent or other instrument required by this Resolution to be signed and executed by Bondowners may be in any number of concurrent writings of substantially similar tenor and may be signed or executed by such Bondowners in person or by an agent or agents duly appointed in writing. Proof of the execution of any such request, consent or other instrument or of a writing appointing any such agent, shall be sufficient for any purpose of this Resolution and shall be conclusive in favor of the Fiscal Agent and of the City if made in the manner provided in this Section.

The fact and date of the execution by any person of any such request, consent or other instrument or writing may be proved in any manner reasonably acceptable to the Fiscal Agent.

The ownership of Bonds shall be proved by the bond registration books maintained pursuant to Section 2.06.

Any request, consent, vote or declaration of the Owner of any Bond shall bind every future Owner of the same Bond and the Owner of every Bond issued in exchange therefor or in lieu thereof, in respect of anything done or suffered to be done by the Fiscal Agent or the City in pursuance of such request, consent, vote or declaration.

SECTION 11.09. Credit Provider or Reserve Provider Provisions. Any provisions herein requiring consent or providing for direction from a Credit Provider or a Reserve Provider shall have no force or effect with respect to a Credit Provider or a Reserve Provider during any period in which such Credit Provider or Reserve Provider is in default in its obligations under the related Letter of Credit or insurance policy. Each Reserve Provider and Credit Provider shall be provided with written notice of (i) the resignation or removal of the Fiscal Agent and the appointment of a successor thereto, (ii) the issuance of any Additional Bonds and (iii) the optional redemption of Bonds with respect to which such Reserve Provider or Credit Provider has provided a Letter of Credit or insurance policy. Each Reserve Provider or Credit Provider shall have the same rights as any Bondholder to inspect and request copies of any of the materials referenced in Sections 6.07 and 6.08 hereof. The provisions with respect to the Credit Provider and Reserve Provider shall be disregarded if no Credit Provider or Reserve Provider are in existence with respect to the Outstanding Bonds.

SECTION 11.10. Article and Section Headings and References. The headings or titles of the several Articles and Sections hereof, and any table of contents appended to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this Resolution.

All references herein to "Articles," "Sections" and other subdivisions are to the corresponding Articles, Sections or subdivisions of this Resolution; and the words "herein," "hereof," "hereunder" and other words of similar import refer to this Resolution as a whole and not to any particular Article, Section or subdivision hereof.

SECTION 11.11. Funds and Accounts. Any fund required by this Resolution to be established and maintained by the City or the Controller or the Treasurer or the Fiscal Agent may be established and maintained in the accounting records of the City or the Controller or the Treasurer or the Fiscal Agent either as a fund or an account, and may, for the purposes of such records, any audits thereof and any reports or statements with respect thereto, be treated either as a fund or as an account; but all such records with respect to all such funds shall at all times be maintained in accordance with generally accepted accounting practices (or, as to the Fiscal Agent, in accordance with sound industry practice) and with due regard for the protection of the security of the Bonds and the rights of every Owner thereof.

SECTION 11.12. Waiver of Personal Liability. No officer, agent or employee of the City shall be individually or personally liable for the payment of the principal of or interest on the Bonds; but nothing herein contained shall relieve any such officer, agent or employee from the performance of any official duty provided by law.

SECTION 11.13. Governing Law. This Resolution shall be construed and governed in accordance with the laws of the State of California.

SECTION 11.14. Business Day. Except as specifically set forth in a Supplemental Resolution, any payments or transfers which would otherwise become due on any day which is not a Business Day shall become due or shall be made on the next succeeding Business Day.

ARTICLE XII

SERIES 1988B BONDS

SECTION 12.01. Authorization and Terms of Series 1988B Bonds. (a) The Board hereby authorizes the issuance of the Series 1988B Bonds in accordance with Sections 53540 and 53541 of the Government Code of the State of California. The Series 1988B Bonds shall be issued in lieu of and in substitution for the remaining unissued balance of the bonds authorized to be issued by the City by the qualified voters of the City at an election held on November 2, 1976 (the "Voter Approved Bonds"). The $45,000,000 principal amount of Series 1988B Bonds equals the unissued balance of the Voter Approved Bonds, shall be issued for the same purpose as that for which the Voter Approved Bonds were authorized, and shall be issued under and pursuant to resolution of the City and in accordance with the Revenue Bond Law of 1941 of the State of California and any other laws governing the issuance of revenue bonds of the City, except for the requirement of a bond election. The remaining unissued balance of Voter Approved Bonds shall be cancelled and shall not be issued.

(b) A second series of bonds to be issued under the Resolution in the principal amount of $45,000,000 is hereby created. These bonds shall be known as the "City and County of San Francisco General Purpose Sewer Revenue Bonds, Series 1988B" (herein called the "Series 1988B Bonds"). The Series 1988B Bonds shall be of the tenor known as

Current Interest Bonds. The Series 1988B Bonds shall be dated and shall bear interest, at such rate or rates (payable on such dates), shall mature and become payable as to principal on the Payment Dates in the amounts and shall be subject to Minimum Sinking Fund Account Payments as set forth in the Series 1988B Sales Certificate to be executed and delivered by the Chief Administrative Officer of the City concurrently with the public sale of the Series 1988B Bonds. In addition to the provisions required, pursuant to the terms of this Resolution, to be specified in the Series 1988B Sales Certificate, the Chief Administrative Officer of the City, on behalf of the City, may set forth in the Series 1988B Sales Certificate such provisions as he may deem necessary or desirable and consistent with the purposes of this Resolution, as set forth in the recitals hereto, including provisions (i) adding additional covenants and agreements to be observed by the City, (ii) curing, correcting, amending or supplementing any ambiguous, defective or ineffective provision contained in this Resolution or in regard to questions arising hereunder, or (iii) amending or supplementing any provision contained herein to the extent necessary to obtain a Bond Reserve Fund Policy, to obtain municipal bond insurance or a letter of credit or surety bond from a Credit Provider, to obtain a rating for the Series 1988B Bonds, or to provide for the issuance of the Series 1988B Bonds in book-entry form. The Chief Administrative Officer of the City is hereby instructed to execute and deliver the Series 1988B Sales Certificate and, upon execution and delivery thereof, the Series 1988B Sales Certificate shall be incorporated herein by reference. Notwithstanding the foregoing, the 1988B Sales Certificate shall not specify an interest rate on any Series 1988B Bond in excess of twelve percent (12%) per annum nor a maturity date for any Series 1988B Bond after October 1, 2025. The Series 1988B Bonds shall be issued as fully registered bonds in the denomination of $5,000, or any integral multiple of $5,000.

The principal of and premium, if any, on the Series 1988B Bonds shall be payable in lawful money of the United States of America to the Owner thereof, upon the surrender thereof at the principal corporate trust office of the Fiscal Agent, in San Francisco, California. The interest on the Series 1988B Bonds shall be payable in like lawful money to the person whose name appears on the bond registration books of the Fiscal Agent as the Owner thereof as of the close of business on the 15th day of the month immediately preceding an Interest Payment Date, whether or not such day is a Business Day, such interest to be paid by check mailed to such Owner at such address as appears on such registration books or at such address as he may have filed with the Fiscal Agent for that purpose.

Each Series 1988B Bond shall bear interest from the Interest Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Interest Payment Date to such Interest Payment Date, inclusive, in which event it shall bear interest from such Interest Payment Date, or unless it is authenticated on or before the fifteenth day of the month preceding the first Interest Payment Date, in which event it shall bear interest from its dated date; provided, however, that if, at the time of authentication of any Series 1988B Bond, interest is in default on Outstanding Bonds, such Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment on the Outstanding Bonds and shall be payable to the Owners thereof of record as of a special date as shall be established by the Fiscal Agent following such default.

Only such of the Series 1988B Bonds as shall bear thereon a certificate of authentication in the form herein recited, executed by the Fiscal Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Fiscal Agent shall be conclusive evidence that the Series 1988B Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

The Series 1988B Bonds shall be subject to redemption as provided in Section 12.03 hereof.

The Fiscal Agent shall assign each Series 1988B Bond authenticated and registered by it a distinctive letter, or number, or letter and number, and shall maintain a record thereof which shall be available to the City for inspection.

(c) The City has reviewed all proceedings heretofore taken relative to the authorization of the Series 1988B Bonds and has found, as a result of such review, that all conditions, things and acts required by law to exist, happen or be performed precedent to and in the issuance of the Series 1988B Bonds do exist, have happened and have been performed in due time, form and manner as required by law, and the City is authorized, pursuant to each and every requirement of law, to issue the Series 1988B Bonds in the manner and form provided in this Resolution.

SECTION 12.02. Form of Series 1988B Bonds. The Series 1988B Bonds, the authentication and registration endorsement and the assignment to appear thereon shall be substantially in the forms attached hereto as Exhibit A, with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

SECTION 12.03. Redemption of Series 1988B Bonds. (a)(1) Series 1988B Bonds due on or before the Series 1988B Call Protection Date shall not be subject to redemption before their respective stated maturities. (2) Series 1988B Bonds due after the Series 1988B Call Protection Date shall be subject to redemption prior to their respective stated maturities, at the option of the City, from and to the extent of any source of available funds, as a whole on any date on or after the Series 1988B Call Protection Date, or in part on any Interest Payment Date on or after the Series 1988B Call Protection Date of such maturities or portions of maturities and of such tenor as shall be determined by the City if less than all of the Series 1988B Bonds are to be called for prior redemption and by lot within any such maturity and tenor if less than all of the Series 1988B Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption plus a premium (expressed as a percentage of such principal amount) as set forth in the Series 1988B Sales Certificate. (3) Series 1988B Term Bonds are further subject to redemption prior to their respective stated maturities, from the Series 1988B Sinking Fund Account established pursuant to Section 12.05 hereof, on any Sinking Fund Payment Date by lot within any maturity if less than all of the Series 1988B Bonds of such maturity and tenor are to be redeemed, upon payment of the principal amount thereof and accrued interest thereon to the date fixed for redemption without premium, but only in amounts equal to, and

in accordance with, the schedule of the principal amounts of Series 1988B Bonds to be redeemed in each such year from said Series 1988B Sinking Fund Account. (4) The City shall give the Fiscal Agent written notice at least forty-five days before any date fixed for the redemption of Series 1988B Bonds to be redeemed pursuant to subsection (a)(2) above, of the fact and date of redemption and of the principal amount of Series 1988B Bonds and the maturities or portions thereof to be redeemed.

SECTION 12.04. Application of Proceeds of Series 1988B Bonds. (a) The Treasurer shall set aside and deposit proceeds received from the sale of the Series 1988B Bonds in the following respective funds:

(1) The Treasurer shall deposit with the Fiscal Agent in the Interest Fund, established pursuant to Section 5.02, the amount of accrued interest received on the sale of, and any capitalized interest with respect to, the Series 1988B Bonds.

(2) The Treasurer shall deposit with the Fiscal Agent in the Series 1988B Reserve Account (which the City hereby directs the Fiscal Agent to establish in accordance with Section 5.02(c)(ii)) in the Bond Reserve Fund established pursuant to Section 5.02, the Required Reserve (in the form of Series 1988B Bond proceeds, in the form of a Bond Reserve Fund Policy, or in some combination of the two).

(3) The Treasurer shall set aside in the Construction Fund, established pursuant to Section 3.03, the amount of the proceeds of the Series 1988B Bonds specified in the Series 1988B Sales Certificate.

(4) The Treasurer shall deposit with the Fiscal Agent the remainder of said proceeds in a separate fund to be known as the "Series 1988B Expense Fund" which the Fiscal Agent hereby agrees to establish and maintain. The money in the Series 1988B Expense Fund shall be used and disbursed in the manner provided herein for the purpose of paying all costs of issuance incidental to or connected with the issuance of the Series 1988B Bonds (or for making reimbursements to the City or any other person, firm or corporation for such costs theretofore paid by him or it). Any balance of money remaining in the Series 1988B Expense Fund after the payment of all costs incidental to or connected with the issuance of the Series 1988B Bonds or within six months after issuance of the Series 1988B Bonds, whichever is earlier, shall be transferred by the Fiscal Agent to the Treasurer for deposit in the Construction Fund.

(b) Before any payment is made by the Fiscal Agent to pay said expenses of issuance from the Series 1988B Expense Fund, the City shall cause to be filed with the Fiscal Agent a Written Requisition of the City showing with respect to each payment to be made--

(1) the item number of the payment;

(2) the name and address of the person to whom payment is due;

(3) the amount to be paid; and

(4) the purpose for which the obligation to be paid was incurred.

Each such Written Requisition shall state, and shall be sufficient evidence to the Fiscal Agent--

(y) that obligations in the stated amounts have been incurred by the City and that each item thereof is a proper charge; and

(z) that there has not been filed with or served upon the City notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to any of the persons named in such Written Requisition, which has not been released or will not be released simultaneously with the payment of such obligation.

Upon receipt of each such Written Requisition, the Fiscal Agent will pay the amounts set forth in such Written Requisition as directed by the terms thereof. The Fiscal Agent need not make any such payment if it has received notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys to be so paid, which has not been released or will not be released simultaneously with such payment.

When all of said costs of issuance have been paid, a Certificate of the City stating such fact shall be delivered to the Fiscal Agent by the City.

SECTION 12.05. Establishment of Series 1988B Sinking Fund Account. The Fiscal Agent shall establish and hold within the Principal Fund a Series 1988B Sinking Fund Account, which the City hereby covenants and agrees to cause to be maintained, for payment of the Bond Obligation of the Term Series 1988B Bonds. The Fiscal Agent, on or before the day next preceding each Sinking Fund Payment Date, shall deposit in the Series 1988B Sinking Fund Account from the Principal Fund moneys in an amount which shall be sufficient to call and redeem or to pay at maturity, as the case may be, the principal of Term Series 1988B Bonds in the principal amounts on the next succeeding Sinking Fund Payment Date in each of the years, as specified in the Series 1988B Sales Certificate.

All moneys in the Series 1988B Sinking Fund Account may and, at the Written Request of the City, shall be used and withdrawn by the Fiscal Agent at any time for the purchase of Term Series 1988B Bonds (except that no Term Series 1988B Bonds maturing in any year shall be purchased so long as any Term Series 1988B Bonds maturing in any earlier year and being of like tenor shall be Outstanding) at public or private sale, as and when and at such prices (including brokerage and other charges, but excluding, accrued interest, which is payable from the Interest Fund) as the Fiscal Agent may in its discretion determine, but not to exceed the principal thereof (excluding accrued interest), and all Bonds so purchased by the Fiscal Agent shall be cancelled and handled in accordance with Section 11.05; provided, however, that all moneys in the Series 1988B Sinking Fund Account on the fifteenth day of the second month preceding each Sinking Fund Payment Date, together with

any additional sums which the Fiscal Agent expects to receive for deposit in the Series 1988B Sinking Fund Account after such date and on or before the next succeeding Sinking Fund Payment Date, shall be used and withdrawn by the Fiscal Agent solely for the purpose of redeeming the Series 1988B Bonds which are subject to redemption pursuant to the provisions of Section 12.03(a)(3); and the Fiscal Agent shall during each twelve month period beginning with the twelve month period ending on the first Sinking Fund Payment Date, purchase or call and redeem (as herein provided) an aggregate amount of Series 1988B Bonds equal to at least the amount of Bond Obligation of the Bonds identified in the preceding paragraph for such twelve month period, except that if Term Series 1988B Bonds of any Term Bond maturity shall have previously been redeemed or purchased in excess of the amount of Bond Obligation of the Bonds identified in the preceding paragraph there shall be deemed to have been a reduction of the remaining amounts stated in the preceding paragraph on a Proportionate Basis and further except that moneys in the Series 1988B Sinking Fund Account shall be used, to the extent necessary, to purchase or retire the Outstanding Series 1988B Term Bonds at the maturity thereof. The City hereby covenants and agrees with the Owners of the Series 1988B Bonds to call and redeem Series 1988B Bonds from the Series 1988B Sinking Fund Account pursuant to this Section 12.05 and pursuant to Section 12.03(a)(3), on each Sinking Fund Payment Date in each of the years, and in the amounts, stated in the Series 1988B Sales Certificate.

ARTICLE XIII

SERIES 1991 BONDS

SECTION 13.01. Authorization and Terms of Series 1991 Bonds. (a) A third series of bonds to be issued under the Resolution in the principal amount of not to exceed $170,000,000 is hereby created. These bonds shall be known as the "City and County of San Francisco General Purpose Sewer Revenue Bonds, Series 1991" (herein called the "Series 1991 Bonds"). The Series 1991 Bonds shall be of such tenor whether Current Interest Bonds, or Capital Appreciation Bonds as may be set forth in the Series 1991 Sales Certificate to be executed and delivered by the Chief Administrative Officer of the City concurrently with the sale of the Series 1991 Bonds. The Series 1991 Bonds shall be dated and shall bear interest, at such rate or rates (payable on such dates), shall mature and become payable as to principal on the Payment Dates in the amounts and shall be subject to Minimum Sinking Fund Account Payments, if any, as set forth in the Series 1991 Sales Certificate. In addition to the provisions required, pursuant to the terms of this Resolution, to be specified in the Series 1991 Sales Certificate, the Chief Administrative Officer of the City, on behalf of the City, may set forth in the Series 1991 Sales Certificate such provisions as he may deem necessary or desirable and consistent with the purposes of this Resolution, as set forth in the recitals hereto, including provisions (i) adding additional covenants and agreements to be observed by the City, (ii) curing, correcting, amending or supplementing any ambiguous, defective or ineffective provision contained in this Resolution or in regard to questions arising hereunder, or (iii) amending or supplementing any provision contained herein to the extent necessary to obtain a Bond Reserve Fund Policy, to obtain municipal

bond insurance or a letter of credit or surety bond from a Credit Provider, to obtain a rating for the Series 1991 Bonds, or to provide for the issuance of the Series 1991 Bonds in book-entry form. The Chief Administrative Officer of the City is hereby instructed to execute and deliver the Series 1991 Sales Certificate and, upon execution and delivery thereof, the Series 1991 Sales Certificate shall be incorporated herein by reference. Notwithstanding the foregoing, the 1991 Sales Certificate shall not specify an interest rate on any Series 1991 Bond in excess of twelve percent (12%) per annum nor a maturity date for any Series 1991 Bond after October 1, 2030. The Series 1991 Bonds shall be issued as fully registered bonds.

The principal of and premium, if any, on the Series 1991 Bonds shall be payable in lawful money of the United States of America to the Owner thereof, upon the surrender thereof at the principal corporate trust office of the Fiscal Agent, in San Francisco, California. The interest on the Series 1991 Bonds shall be payable in like lawful money to the person whose name appears on the bond registration books of the Fiscal Agent as the Owner thereof as of the close of business on the 15th day of the month immediately preceding an Interest Payment Date, if applicable to the appropriate tenor, whether or not such day is a Business Day, such interest to be paid by check mailed to such Owner at such address as appears on such registration books or at such address as he may have filed with the Fiscal Agent for that purpose.

If applicable to the appropriate tenor, each Series 1991 Bond shall bear interest from the Interest Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Interest Payment Date to such Interest Payment Date, inclusive, in which event it shall bear interest from such Interest Payment Date, or unless it is authenticated on or before the fifteenth day of the month preceding the first Interest Payment Date, in which event it shall bear interest from its dated date; provided, however, that if, at the time of authentication of any Series 1991 Bond, interest is in default on Outstanding Bonds, such Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment on the Outstanding Bonds and shall be payable to the Owners thereof of record as of a special date as shall be established by the Fiscal Agent following such default.

Only such of the Series 1991 Bonds as shall bear thereon a certificate of authentication in the form herein recited, executed by the Fiscal Agent, shall be valid or obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Fiscal Agent shall be conclusive evidence that the Series 1991 Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

If applicable to the appropriate tenor, the Series 1991 Bonds shall be subject to redemption as provided in Section 13.03 hereof and otherwise redemption rights and requirements may be as set forth in the Series 1991 Sales Certificate.

The Fiscal Agent shall assign each Series 1991 Bond authenticated and registered by it a distinctive letter, or number, or letter and number, and shall maintain a record thereof which shall be available to the City for inspection.

(b) The City has reviewed all proceedings heretofore taken relative to the authorization of the Series 1991 Bonds and has found, as a result of such review, that all conditions, things and acts required by law to exist, happen or be performed precedent to and in the issuance of the Series 1991 Bonds do exist, have happened and have been performed in due time, form and manner as required by law, and the City is authorized, pursuant to each and every requirement of law, to issue the Series 1991 Bonds in the manner and form provided in this Resolution.

SECTION 13.02. Form of Series 1991 Bonds. The Series 1991 Bonds, the authentication and registration endorsement and the assignment to appear thereon shall be substantially in the forms attached hereto as Exhibit A, with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

SECTION 13.03. Redemption of Series 1991 Bonds. (a)(1) Series 1991 Bonds due on or before the Series 1991 Call Protection Date shall not be subject to redemption before their respective stated maturities. (2) Series 1991 Bonds due after the Series 1991 Call Protection Date shall be subject to redemption prior to their respective stated maturities, at the option of the City, from and to the extent of any source of available funds, as a whole on any date on or after the Series 1991 Call Protection Date, or in part on any Interest Payment Date on or after the Series 1991 Call Protection Date of such maturities or portions of maturities and of such tenor as shall be determined by the City if less than all of the Series 1991 Bonds are to be called for prior redemption and by lot within any such maturity and tenor if less than all of the Series 1991 Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption plus a premium (expressed as a percentage of such principal amount) as set forth in the Series 1991 Sales Certificate. (3) Series 1991 Term Bonds are further subject to redemption prior to their respective stated maturities, from the Series 1991 Sinking Fund Account established pursuant to Section 13.05 hereof, on any Sinking Fund Payment Date by lot within any maturity if less than all of the Series 1991 Bonds of such maturity and tenor are to be redeemed, upon payment of the principal amount thereof and accrued interest thereon to the date fixed for redemption without premium, but only in amounts equal to, and in accordance with, the schedule of the principal amounts of Series 1991 Bonds to be redeemed in each such year from said Series 1991 Sinking Fund Account. (4) The City shall give the Fiscal Agent written notice at least forty-five days before any date fixed for the redemption of Series 1991 Bonds to be redeemed pursuant to subsection (a)(2) above, of the fact and date of redemption and of the principal amount of Series 1991 Bonds and the maturities or portions thereof to be redeemed.

SECTION 13.04. Application of Proceeds of Series 1991 Bonds. (a) The Treasurer shall set aside and deposit proceeds received from the sale of the Series 1991 Bonds in the following respective funds:

(1) The Treasurer shall deposit with the Fiscal Agent in the Interest Fund, established pursuant to Section 5.02, the amount of accrued interest received on the sale of, and any capitalized interest with respect to, the Series 1991 Bonds.

(2) The Treasurer shall deposit with the Fiscal Agent in the Series 1991 Reserve Account (which the City hereby directs the Fiscal Agent to establish in accordance with Section 5.02(c)(ii)) in the Bond Reserve Fund established pursuant to Section 5.02, the Required Reserve (in the form of Series 1991 Bond proceeds, in the form of a Bond Reserve Fund Policy, or in some combination of the two).

(3) The Treasurer shall set aside in the Construction Fund, established pursuant to Section 3.03, the amount of the proceeds of the Series 1991 Bonds specified in the Series 1991 Sales Certificate.

(4) The Treasurer shall deposit with the Fiscal Agent the remainder of said proceeds in a separate fund to be known as the "Series 1991 Expense Fund" which the Fiscal Agent hereby agrees to establish and maintain. The money in the Series 1991 Expense Fund shall be used and disbursed in the manner provided herein for the purpose of paying all costs of issuance incidental to or connected with the issuance of the Series 1991 Bonds (or for making reimbursements to the City or any other person, firm or corporation for such costs theretofore paid by him or it). Any balance of money remaining in the Series 1991 Expense Fund after the payment of all costs incidental to or connected with the issuance of the Series 1991 Bonds or within six months after issuance of the Series 1991 Bonds, whichever is earlier, shall be transferred by the Fiscal Agent to the Treasurer for deposit in the Construction Fund.

(b) Before any payment is made by the Fiscal Agent to pay said expenses of issuance from the Series 1991 Expense Fund, the City shall cause to be filed with the Fiscal Agent a Written Requisition of the City showing with respect to each payment to be made--

(1) the item number of the payment;

(2) the name and address of the person to whom payment is due;

(3) the amount to be paid; and

(4) the purpose for which the obligation to be paid was incurred.

Each such Written Requisition shall state, and shall be sufficient evidence to the Fiscal Agent--

(y) that obligations in the stated amounts have been incurred by the City and that each item thereof is a proper charge; and

(z) that there has not been filed with or served upon the City notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to any of the persons named in such Written Requisition, which has not been released or will not be released simultaneously with the payment of such obligation.

Upon receipt of each such Written Requisition, the Fiscal Agent will pay the amounts set forth in such Written Requisition as directed by the terms thereof. The Fiscal Agent need not make any such payment if it has received notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys to be so paid, which has not been released or will not be released simultaneously with such payment.

When all of said costs of issuance have been paid, a Certificate of the City stating such fact shall be delivered to the Fiscal Agent by the City.

SECTION 13.05. Establishment of Series 1991 Sinking Fund Account. If applicable to the appropriate tenor and otherwise as may be set forth in the Series 1991 Sales Certificate, the Fiscal Agent shall establish and hold within the Principal Fund a Series 1991 Sinking Fund Account, which the City hereby covenants and agrees to cause to be maintained, for payment of the Bond Obligation of the Term Series 1991 Bonds. The Fiscal Agent, on or before the day next preceding each Sinking Fund Payment Date, shall deposit in the Series 1991 Sinking Fund Account from the Principal Fund moneys in an amount which shall be sufficient to call and redeem or to pay at maturity, as the case may be, the principal of Term Series 1991 Bonds in the principal amounts on the next succeeding Sinking Fund Payment Date in each of the years, as specified in the Series 1991 Sales Certificate.

All moneys in the Series 1991 Sinking Fund Account may and, at the Written Request of the City, shall be used and withdrawn by the Fiscal Agent at any time for the purchase of Term Series 1991 Bonds (except that no Term Series 1991 Bonds maturing in any year shall be purchased so long as any Term Series 1991 Bonds maturing in any earlier year and being of like tenor shall be Outstanding) at public or private sale, as and when and at such prices (including brokerage and other charges, but excluding, accrued interest, which is payable from the Interest Fund) as the Fiscal Agent may in its discretion determine, but not to exceed the principal thereof (excluding accrued interest), and all Bonds so purchased by the Fiscal Agent shall be cancelled and handled in accordance with Section 11.05; provided, however, that all moneys in the Series 1991 Sinking Fund Account on the fifteenth day of the second month preceding each Sinking Fund Payment Date, together with any additional sums which the Fiscal Agent expects to receive for deposit in the Series 1991 Sinking Fund Account after such date and on or before the next succeeding Sinking Fund Payment Date, shall be used and withdrawn by the Fiscal Agent solely for the purpose of redeeming the Series 1991 Bonds which are subject to redemption pursuant to the provisions of Section 13.03(a)(3) or the Series 1991 Sales Certificate; and the Fiscal Agent shall during each twelve month period beginning with the twelve month period ending on the first Sinking Fund Payment Date, purchase or call and redeem (as herein provided) an aggregate amount of Series 1991 Bonds equal to at least the amount of Bond Obligation of the Bonds identified in the preceding paragraph for such twelve month period, except that if Term Series 1991 Bonds of any Term

Bond maturity shall have previously been redeemed or purchased in excess of the amount of Bond Obligation of the Bonds identified in the preceding paragraph there shall be deemed to have been a reduction of the remaining amounts stated in the preceding paragraph on a Proportionate Basis and further except that moneys in the Series 1991 Sinking Fund Account shall be used, to the extent necessary, to purchase or retire the Outstanding Series 1991 Term Bonds at the maturity thereof. The City hereby covenants and agrees with the Owners of the Series 1991 Bonds to call and redeem Series 1991 Bonds from the Series 1991 Sinking Fund Account pursuant to this Section 13.05 and pursuant to Section 13.03(a)(3), on each Sinking Fund Payment Date in each of the years, and in the amounts, stated in the Series 1991 Sales Certificate.

ARTICLE XIV

SERIES 1992 BONDS

Section 14.01. Determinations; Authorization and Terms of Series 1992 Bonds. The Board determines that the Series 1992 Bonds may be issued without approval by a majority of the voters voting on a proposition to issue such Bonds at an election, in that the sale of the Series 1992 Bonds to refund the Prior Bonds will result in lower total scheduled principal and interest payments of the City.

A fourth series of bonds to be issued under the Resolution in the principal amount of not to exceed $385,000,000 is hereby authorized in accordance with the provisions of the Charter, and the provisions of the Revenue Bond Law of 1941 as incorporated therein, being Chapter 6 of Division 2 of Title 5 of the California Government Code and Article 11 of Chapter 3 of Division 2 of Title 5 of the California Government Code, as supplemented and amended. These bonds shall be known as the "City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1992" (herein called the "Series 1992 Bonds").

The Series 1992 Bonds shall be Current Interest Bonds. The Series 1992 Bonds shall be dated and shall bear interest at such rate or rates (payable on October 1 and April 1 of such years), shall mature and become payable as to principal on the Payment Dates in the amounts, and shall be subject to Minimum Sinking Fund Account Payments, if any, as set forth in the Series 1992 Sales Certificate to be executed and delivered by the Chief Administrative Officer of the City concurrently with the sale of the Series 1992 Bonds. In addition to the provisions required, pursuant to the terms of this Resolution, to be specified in the Series 1992 Sales Certificate, the Chief Administrative Officer of the City, on behalf of the City, may set forth in the Series 1992 Sales Certificate such provisions as he may deem necessary or desirable and consistent with the purposes of this Resolution, as set forth in the recitals hereto, including provisions (i) adding additional covenants and agreements to be observed by the City which the Chief Administrative Officer determines, in consultation with the City Attorney, will not impose material additional obligations or limitations on the City, (ii) curing, correcting, amending or supplementing any ambiguous, defective or ineffective provision contained in this Resolution or in regard to questions arising hereunder,

or (iii) amending or supplementing any provision contained herein to the extent necessary to obtain a Bond Reserve Fund Policy, to obtain municipal bond insurance, to obtain a rating for the Series 1992 Bonds, or to provide for the issuance of the Series 1992 Bonds in book-entry form. The Chief Administrative Officer of the City is hereby instructed to execute and deliver the Series 1992 Sales Certificate and, upon execution and delivery thereof, the Series 1992 Sales Certificate shall be incorporated herein by reference. Notwithstanding the foregoing, the 1992 Sales Certificate shall not specify an interest rate on any Series 1992 Bond in excess of twelve percent (12%) per annum nor a maturity date for any Series 1992 Bond after October 1, 2021; and the redemption premiums on the Series 1992 Bonds shall not exceed three percent (3%). The Series 1992 Bonds shall be issued as fully registered bonds.

Anything to the contrary herein notwithstanding, the Series 1992 Bonds shall only be issued if (i) in accordance with Section 3.05(e) of this Resolution, the Average Annual Debt Service for the Series 1992 Bonds shall be less than the Average Annual Debt Service for the Prior Bonds; and (ii) in accordance with Section 7.300(5) of the Charter, the application of the proceeds of the Series 1992 Bonds to refund the Prior Bonds will result in lower total scheduled principal and interest payments of the City.

The principal of and premium, if any, on the Series 1992 Bonds shall be payable in lawful money of the United States of America to the Owner thereof, upon the surrender thereof at the corporate trust office of the Fiscal Agent, in Los Angeles, California. The interest on the Series 1992 Bonds shall be payable in like lawful money to the person whose name appears on the bond registration books of the Fiscal Agent as the Owner thereof as of the close of business on the 15th day of the month immediately preceding an Interest Payment Date whether or not such day is a Business Day, such interest to be paid by check mailed to such Owner at such address as appears on such registration books. For so long as the Series 1992 Bonds are registered to the Nominee, as nominee of DTC, principal and interest will be paid in accordance with the Letter of Representations executed in connection with the Series 1992 Bonds.

Each Series 1992 Bond shall bear interest from the Interest Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Interest Payment Date to such Interest Payment Date, inclusive, in which event it shall bear interest from such Interest Payment Date, or unless it is authenticated on or before the fifteenth day of the month preceding the first Interest Payment Date, in which event it shall bear interest from its dated date; provided, however, that if, at the time of authentication of any Series 1992 Bond, interest is in default on Outstanding Bonds, such Bond shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment on the Outstanding Bonds and shall be payable to the Owners thereof of record as of a special date as shall be established by the Fiscal Agent following such default.

Only such of the Series 1992 Bonds as shall bear thereon a certificate of authentication in the form herein recited, executed by the Fiscal Agent, shall be valid or

obligatory for any purpose or entitled to the benefits of this Resolution, and such certificate of the Fiscal Agent shall be conclusive evidence that the Series 1992 Bonds so authenticated have been duly authenticated and delivered hereunder and are entitled to the benefits of this Resolution.

The Series 1992 Bonds shall be subject to redemption as provided in Section 14.03 hereof and otherwise redemption rights and requirements may be as set forth in the Series 1992 Sales Certificate.

The Fiscal Agent shall assign each Series 1992 Bond authenticated and registered by it a distinctive letter, or number, or letter and number, and shall maintain a record thereof which shall be available to the City for inspection.

Section 14.02. Form of Series 1992 Bonds. The Series 1992 Bonds, the authentication and registration endorsement and the assignment to appear thereon shall be substantially in the forms attached hereto as Exhibit A, with necessary or appropriate variations, omissions and insertions as permitted or required by this Resolution.

Section 14.03. Redemption of Series 1992 Bonds. (a) Series 1992 Bonds due on or before the Series 1992 Call Protection Date shall not be subject to redemption before their respective stated maturities.

(b) Series 1992 Bonds due after the Series 1992 Call Protection Date shall be subject to redemption prior to their respective stated maturities, at the option of the City, from and to the extent of any source of available funds, as a whole or in part on any date on or after the Series 1992 Call Protection Date (and by lot within any maturity if less than all of the Series 1992 Bonds of such maturity are to be redeemed), at the principal amount thereof and accrued interest thereon to the date fixed for redemption plus a premium, if any (expressed as a percentage of such principal amount) as set forth in the Series 1992 Sales Certificate.

(c) Series 1992 Term Bonds are further subject to redemption prior to their respective stated maturities, from the Series 1992 Sinking Fund Account established pursuant to Section 14.05 hereof, on any Sinking Fund Payment Date by lot within any maturity if less than all of the Series 1992 Bonds of such maturity are to be redeemed, upon payment of the principal amount thereof and accrued interest thereon to the date fixed for redemption, without premium, but only in amounts equal to, and in accordance with, the schedule of the principal amounts of Series 1992 Bonds to be redeemed in each such year from said Series 1992 Sinking Fund Account.

(d) The City shall give the Fiscal Agent written notice at least forty-five days before any date fixed for the redemption of Series 1992 Bonds to be redeemed pursuant to subsection (a)(2) above, of the fact and date of redemption and of the principal amount of Series 1992 Bonds and the maturities or portions to be redeemed.

Section 14.04. Application of Proceeds of Series 1992 Bonds; Investments. (a) The Treasurer shall set aside and deposit proceeds received from the sale of the Series 1992 Bonds in the following respective funds:

(1) The Treasurer shall deposit with the Fiscal Agent in the Interest Fund, established pursuant to Section 5.02, the amount of accrued interest received on the sale of the Series 1992 Bonds.

(2) The Treasurer shall deposit with the Fiscal Agent in the Series 1992 Reserve Account (which the City hereby directs the Fiscal Agent to establish in accordance with Section 5.02(c)(ii)) in the Bond Reserve Fund established pursuant to Section 5.02, the Required Reserve (in the form of Legal Investments, in the form of a Bond Reserve Fund Policy, or in some combination of the two).

(3) The Treasurer shall deposit with the respective Escrow Agents for the Prior Bonds the amount of the proceeds of the Series 1992 Bonds (net of accrued interest) specified in the Series 1992 Sales Certificate necessary to defease the Prior Bonds in accordance with their terms and in accordance with the respective Escrow Agreement.

(b) The Treasurer shall deposit certain amounts made available by issuance of the Series 1992 Bonds from the respective funds and accounts for the Prior Bonds with the respective Escrow Agents for deposit in the Escrow Funds to be established pursuant to the Escrow Agreements referenced in Section 14.06 hereof.

(c) The Treasurer shall deposit with the Fiscal Agent the amount specified in the Series 1992 Sales Certificate in a separate fund to be known as the "Series 1992 Expense Fund" which the Fiscal Agent hereby agrees to establish and maintain. The money in the Series 1992 Expense Fund shall be used and disbursed in the manner provided herein for the purpose of paying all costs of issuance incidental to or connected with the issuance of the Series 1992 Bonds (or for making reimbursements to the City or any other person, firm or corporation for such costs theretofore paid by such entity). Any balance of money remaining in the Series 1992 Expense Fund after the payment of all costs incidental to or connected with the issuance of the Series 1992 Bonds or within 60 days, after issuance of the Series 1992 Bonds, whichever is earlier, shall be transferred by the Fiscal Agent for deposit in the Interest Fund.

(d) Before any payment is made by the Fiscal Agent to pay said expenses of issuance from the Series 1992 Expense Fund, the City shall cause to be filed with the Fiscal Agent a Written Requisition of the City showing with respect to each payment to be made--

(1) the item number of the payment;

(2) the name and address of the person to whom payment is due;

(3) the amount to be paid; and

(4) the purpose for which the obligation to be paid was incurred.

Each such Written Requisition shall state, and shall be sufficient evidence to the Fiscal Agent--

(y) that obligations in the stated amounts have been incurred by the City and that each item thereof is a proper charge; and

(z) that there has not been filed with or served upon the City notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable to any of the persons named in such Written Requisition, which has not been released or will not be released simultaneously with the payment of such obligation.

Upon receipt of each such Written Requisition, the Fiscal Agent will pay the amounts set forth in such Written Requisition as directed by the terms thereof. The Fiscal Agent need not make any such payment if it has received notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys to be so paid, which has not been released or will not be released simultaneously with such payment.

(e) The Treasurer shall make such arrangements as may be required to effect the purchase and deposit of obligations pursuant to the Escrow Agreements referenced Section 14.06 hereof.

Section 14.05. Establishment of Series 1992 Sinking Fund Account. If applicable to the appropriate tenor and otherwise as may be set forth in the Series 1992 Sales Certificate, the Fiscal Agent shall establish and hold within the Principal Fund a Series 1992 Sinking Fund Account, which the City hereby covenants and agrees to cause to be maintained, for payment of the Bond Obligation of the Term Series 1992 Bonds. The Fiscal Agent, on or before the day next preceding each Sinking Fund Payment Date, shall deposit in the Series 1992 Sinking Fund Account from the Principal Fund moneys in an amount which shall be sufficient to call and redeem or to pay at maturity, as the case may be, the principal of Term Series 1992 Bonds in the principal amounts on the next succeeding Sinking Fund Payment Date in each of the years, as specified in the Series 1992 Sales Certificate.

All moneys in the Series 1992 Sinking Fund Account may and, at the Written Request of the City, shall be used and withdrawn by the Fiscal Agent at any time for the purchase of Term Series 1992 Bonds (except that no Term Series 1992 Bonds maturing in any year shall be purchased so long as any Term Series 1992 Bonds m.
aturing in any earlier year and being of like tenor shall be Outstanding) at public or private sale, as and when and at such prices (including brokerage and other charges, but excluding, accrued interest, which is payable from the Interest Fund) as the Fiscal Agent may in its discretion determine, but not to exceed the principal thereof (excluding accrued interest), and all Bonds so purchased by the Fiscal Agent shall be canceled and handled in accordance with Section 11.05; provided, however, that all moneys in the Series 1992 Sinking Fund Account on the fifteenth day of the second month preceding each Sinking Fund Payment Date,

together with any additional sums which the Fiscal Agent expects to receive for deposit in the Series 1992 Sinking Fund Account after such date and on or before the next succeeding Sinking Fund Payment Date, shall be used and withdrawn by the Fiscal Agent solely for the purpose of redeeming the Series 1992 Bonds which are subject to redemption pursuant to the provisions of Section 14.03(a)(3) or the Series 1992 Sales Certificate; and the Fiscal Agent shall during each twelve month period beginning with the twelve month period ending on the first Sinking Fund Payment Date, purchase or call and redeem (as herein provided) an aggregate amount of Series 1992 Bonds equal to at least the amount of Bond Obligation of the Bonds identified in the preceding paragraph for such twelve month period, except that if Term Series 1992 Bonds of any Term Bond maturity shall have previously been redeemed or purchased in excess of the amount of Bond Obligation of the Bonds identified in the preceding paragraph there shall be deemed to have been a reduction of the remaining amounts stated in the preceding paragraph on a Proportionate Basis and further except that moneys in the Series 1992 Sinking Fund Account shall be used, to the extent necessary, to purchase or retire the Outstanding Series 1992 Term Bonds at the maturity thereof. The City hereby covenants and agrees with the Owners of the Series 1992 Bonds to call and redeem Series 1992 Bonds from the Series 1992 Sinking Fund Account pursuant to this Section 14.05 and pursuant to Section 14.03(a)(3), on each Sinking Fund Payment Date in each of the years, and in the amounts, stated in the Series 1992 Sales Certificate.

Section 14.06. Execution of Escrow Agreements. The proposed forms of Escrow Agreement (the "Escrow Agreements") between the City and each fiscal agent (each, the "Escrow Agent") with respect to the Prior Bonds on file with the Clerk of the Board and incorporated into this Resolution by reference are hereby approved. The Chief Administrative Officer of the City is hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver each of the Escrow Agreements in substantially the form on file with the Clerk of the Board, with such additions thereto or changes that hereafter become necessary in the interest of the City and which are approved by the City Attorney, the approval of such officers to be conclusively evidenced by the execution and delivery of the Escrow Agreements.

Section 14.07. Tax Covenants. (a) The City covenants that it shall not take any action, or fail to take any action, if such action or failure to take such action would adversely affect the exclusion from gross income of the interest payable on the Series 1992 Bonds under Section 103 of the Code. Without limiting the generality of the foregoing, the City covenants that it will comply with the provisions of the Series 1992 Tax Certificate. This covenant shall survive payment in full or defeasance of the Series 1992 Bonds.

(b) In the event that at any time the City is of the opinion that for purposes of this Section it is necessary or helpful to restrict or limit the yield on the investment of any moneys held by the Treasurer or the Fiscal Agent under this Resolution, the City shall so instruct the Treasurer or the Fiscal Agent under this Resolution in writing, and the Treasurer or the Fiscal Agent shall take such action as may be necessary in accordance with such instructions.

(c) Notwithstanding any provisions of this Section, if the City shall provide to the Treasurer or the Fiscal Agent an Opinion of Counsel of recognized standing in the field of law relating to municipal bonds that any specified action required under this Section is no longer required or that some further or different action is required to maintain the exclusion from federal income tax of interest on the Series 1992 Bonds, the Treasurer or the Fiscal Agent may conclusively rely on such opinion in complying with the requirements of this Section and of the Series 1992 Tax Certificate, and the covenants hereunder shall be deemed to be modified to that extent.

ARTICLE XV

RATIFICATION OF CITY ACTIONS; EFFECTIVE DATE

Section 15.01. Ratification of Actions by the City. All actions of the City taken in connection with the adoption of, and pursuant to, the Resolution are hereby ratified, approved and confirmed.

Section 15.02. Effective Date of this Resolution. Articles XIV and XV of this Resolution shall take effect from and after its adoption and approval. Articles I through XIII of this Resolution shall take effect upon the issuance and delivery of the Series 1992 Bonds and the discharge of the First Lien Resolution.

PASSED AND ADOPTED this 3rd day of ~~July~~ August, 1992, by the following vote:

AYES: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Shelley
NOES:
ABSENT: Supervisors Kennedy, Maher, Migden

Approved:

Mayor of the City and County of San Francisco

Attest:

Clerk of the Board of Supervisors

Approved as to Form:
Louise H. Renne
City Attorney

By
Deputy City Attorney

EXHIBIT A

[FORM OF SERIES 1988A BOND]

$___ No. _____

State of California

City and County of San Francisco

SAN FRANCISCO GENERAL PURPOSE SEWER REVENUE BONDS

SERIES 1988A

Dated Date	Interest Rate	Maturity Date	CUSIP No.
_____	_____	_____, __	_____

Registered Owner:

Principal Sum: DOLLARS

The CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation duly organized and existing under and pursuant to the Constitution and the laws of the State of California (herein called the "City"), for value received, hereby promises to pay (but only out of the net revenues hereinafter referred to) to the registered owner set forth above, or registered assigns, on the maturity date set forth above (subject to any right of prior redemption hereinafter provided for), the principal sum set forth above in lawful money of the United States of America, and to pay (but only out of the net revenues hereinafter referred to) interest thereon in like lawful money from the interest payment date next preceding the date of authentication of this Bond (unless this Bond is authenticated as of a day during the period from the 16th day of the month next preceding any interest payment date to and including such interest payment date, in which event it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before _____ 15, 19_, in which event it shall bear interest from _____ 1, 19_) until payment of such principal sum, at the interest rate per annum stated above, payable on _____ 1, 198_ and semiannually thereafter on April 1 and October 1 in each year. The principal (or redemption price) hereof is payable to the registered owner hereof upon the surrender hereof at the principal corporate trust office of Security Pacific National Bank (herein, together with any

successor as fiscal agent under the Resolution, called the "Fiscal Agent"), the trustee of the City, in San Francisco, California. The interest hereon is payable to the person whose name appears on the bond registration books of the Fiscal Agent as the registered owner hereof as of the close of business on the 15th day of the month immediately preceding an interest payment date, whether or not such day is a business day, such interest to be paid, except as provided in the Resolution, by check mailed to such registered owner at his address as it appears on such registration books. Interest on this Bond shall be calculated on the basis of a 360-day year comprised of twelve consecutive 30-day months.

This Bond is one of a duly authorized issue of revenue bonds of the City designated as the "City and County of San Francisco General Purpose Sewer Revenue Bonds" (herein called the "Bonds"), of the series and designation indicated on the face hereof (herein called the "Series 1988A Bonds"). Said issue of Bonds is not limited in aggregate principal amount and consists or may consist of one or more series of varying denominations, dates, maturities, interest rates and other provisions, all issued and to be issued under and pursuant to the provisions of the Charter of the City and County of San Francisco, and all laws of the State of California supplemental thereto, including the Revenue Bond Law of 1941 to the extent made applicable by said Charter (herein collectively called the "Law"), and pursuant to a Resolution, duly adopted by the Board of Supervisors of the City on _____, 1988 (herein, together with any supplements or amendments thereto, called the "Resolution"). Reference is hereby made to the Resolution (a copy of which is on file at said office of the Fiscal Agent) and to the Law for a description of the terms on which the Bonds are issued, the provisions with regard to the nature and extent of the Pledged Revenues (as such term is defined in the Resolution) and the rights thereunder (and limitations thereon) of the registered owners of the Bonds and the rights, duties and immunities of the Fiscal Agent and the rights and obligations of the City thereunder; and all the terms of the Resolution and the Law are hereby incorporated herein and constitute a contract between the City and the registered owner of this Bond, and to all the provisions thereof the owner of this Bond, by his acceptance hereof, consents and agrees. Each owner hereof shall have recourse to all of the provisions of the Law and the Resolution and shall be bound by all of the terms and conditions thereof.

The Series 1988A Bonds are issued to provide funds for the improvement of the Enterprise, consisting of the City's sewage treatment and disposal system as more particularly desc.ibed in the Resolution. The Bonds are special obligations of the City and are payable, as to the principal thereof, interest thereon and any premiums upon the redemption of any thereof, from the pledged revenues of the Enterprise (which, as more particularly defined in the Resolution, are therein and herein called the "Pledged Revenues"). All of the Bonds are equally secured by a pledge of, and charge and lien upon, all of the Pledged Revenues, and the Pledged Revenues constitute a trust fund for the security and payment of the interest on and principal of the Bonds; but nevertheless out of Pledged Revenues certain amounts may be applied for other purposes as provided in the Resolution. Additional series of Bonds payable from the Pledged Revenues may be issued on a parity with the Bonds of this Series, but only subject to the conditions and limitations contained in the Resolution.

The principal of and interest on this Bond are payable solely from the Pledged Revenues, and the City is not obligated to pay them except from the Pledged Revenues. The general fund of the City is not liable, and the credit or taxing power of the City is not pledged, for the payment of the Bonds or their interest. The Bonds are not secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the City or any of its income or receipts, except the Pledged Revenues.

The rights and obligations of the City and the owners of the Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Resolution, but no such modification or amendment shall (1) extend the fixed maturity of this Bond or reduce the rate of interest hereon or extend the time of payment of interest, or reduce the amount of principal hereof or reduce any premium payable upon the redemption hereof, without the consent of the owner hereof, or (2) reduce the percentage of Bonds the consent of the registered owners of which is required for the amendment or modification of the Resolution; all as calculated and more fully set forth in the Resolution.

Series 1988A Bonds maturing on or prior to _____ 1, ___ are not subject to redemption before their respective stated maturities. Series 1988A Bonds maturing on or after _____ 1, 1998 are subject to redemption prior to their respective stated maturities, at the option of the City, from and to the extent of any source of available funds, as a whole on any date on or after _____ 1, ___, or in part on any interest payment date on or after _____ 1, ___, of such maturities or portions of maturities and of such tenor as shall be determined by the City if less than all of the Series 1988A Bonds are to be called for prior redemption and by lot within any such maturity if less than all of the Series 1988A Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption, plus a premium (expressed as a percentage of such principal amount) as set forth in the following schedule:

on or after _____ 1	and prior to _____ 1	Premium

Series 1988A Term Bonds maturing on _____ 1, ___ and payable from the Series 1988A Sinking Fund Account established pursuant to the Resolution are further subject to redemption prior to their respective stated maturities, from said Series 1988A Sinking Fund Account, on any _____ 1 on or after _____ 1, ___, _____ 1, ___, and _____ 1, ___, respectively, and by lot within any such maturity and tenor if less than all

of the Series 1988A Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption and without premium.

As provided in the Resolution, notice of redemption shall be mailed, not less than thirty nor more than sixty days prior to the redemption date, to the registered owner of this Bond.

If this Bond is called for redemption and payment is duly provided therefor as specified in the Resolution, interest shall cease to accrue hereon from and after the date fixed for redemption.

The Series 1988A Bonds are issuable as fully registered Bonds without coupons in the denomination of $5,000 or any integral multiple thereof provided that no Bond shall have principal maturing on more than one principal payment date. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Resolution, Series 1988A Bonds may be exchanged for a like aggregate principal amount of Bonds of the same series, tenor and maturity of other authorized denominations.

This Bond is transferable by the registered owner hereof, in person or by his attorney duly authorized in writing, at said office of the Fiscal Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. Upon such transfer a new fully registered Bond or Bonds, of authorized denomination or denominations and of the same series and tenor, for the same aggregate principal amount will be issued to the transferee in exchange herefor.

The City and the Fiscal Agent may treat the registered owner hereof as the absolute owner hereof for all purposes, and the City and the Fiscal Agent shall not be affected by any notice to the contrary.

It is hereby certified that all of the conditions, things and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Bond do exist, have happened or have been performed in due and regular time, form and manner as required by the Law and the laws of the State of California, and that the amount of this Bond, together with all other obligations of the City, does not exceed any limit prescribed by the Law or any laws of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Resolution.

This Bond shall not be entitled to any benefit under the Resolution, or become valid or obligatory for any purpose, until the certificate of authentication and registration hereon endorsed shall have been signed by the Fiscal Agent.

IN WITNESS WHEREOF, the City and County of San Francisco has caused this Bond to be executed on its behalf under the official seal of said City and County or a facsimile thereof, signed by the manual or facsimile signatures of its Mayor and of its

Treasurer and countersigned by the manual or facsimile signature of its Clerk, all as of _____ 1, 19_.

CITY AND COUNTY OF SAN FRANCISCO

_____
Mayor of the City and County
of San Francisco

_____
Treasurer of the City and County
of San Francisco

(Seal)

Countersigned:

_____
Clerk of the Board of Supervisors
of the City and County of
San Francisco

[FORM OF FISCAL AGENT'S CERTIFICATE OF AUTHENTICATION AND REGISTRATION TO APPEAR ON SERIES 1988 BONDS]

This Bond is one of the Bonds described in the within-mentioned Resolution, which has been authenticated and registered on the date set forth below.

SECURITY PACIFIC NATIONAL BANK
as Fiscal Agent

Dated: _____

By _____
Authorized Officer

[FORM OF ASSIGNMENT]

For value received the undersigned do(es) hereby sell, assign and transfer unto _____ the within-mentioned Registered Bond and hereby irrevocably constitute(s) and appoint(s) _____ attorney, to transfer the same on the books of the Fiscal Agent with full power of substitution in the premises.

Dated: _____

_____

SIGNATURE GUARANTEED BY:

_____

NOTICE: Signature must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

EXHIBIT A-2

[FORM OF SERIES 1988B BOND]

$____ No. _____

State of California

City and County of San Francisco

SAN FRANCISCO GENERAL PURPOSE SEWER REVENUE BONDS

SERIES 1988B

Dated Date	Interest Rate	Maturity Date	CUSIP No.
_____	_____	_____, __	_____

Registered Owner:

Principal Sum: DOLLARS

The CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation duly organized and existing under and pursuant to the Constitution and the laws of the State of California (herein called the "City"), for value received, hereby promises to pay (but only out of the net revenues hereinafter referred to) to the registered owner set forth above, or registered assigns, on the maturity date set forth above (subject to any right of prior redemption hereinafter provided for), the principal sum set forth above in lawful money of the United States of America, and to pay (but only out of the net revenues hereinafter referred to) interest thereon in like lawful money from the interest payment date next preceding the date of authentication of this Bond (unless this Bond is authenticated as of a day during the period from the 16th day of the month next preceding any interest payment date to and including such interest payment date, in which event it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before _____ 15, 19_, in which event it shall bear interest from _____ 1, 19_) until payment of such principal sum, at the interest rate per annum stated above, payable on _____ 1, 198_ and semiannually thereafter on April 1 and October 1 in each year. The principal (or redemption price) hereof is payable to the registered owner hereof upon the surrender

hereof at the principal corporate trust office of Security Pacific National Bank (herein, together with any successor as fiscal agent under the Resolution, hereinafter defined, called the "Fiscal Agent"), the trustee of the City, in San Francisco, California. The interest hereon is payable to the person whose name appears on the bond registration books of the Fiscal Agent as the registered owner hereof as of the close of business on the 15th day of the month immediately preceding an interest payment date, whether or not such day is a business day, such interest to be paid, except as provided in the Resolution, by check mailed to such registered owner at his address as it appears on such registration books. Interest on this Bond shall be calculated on the basis of a 360-day year comprised of twelve consecutive 30-day months.

This Bond is one of a duly authorized issue of revenue bonds of the City designated as the "City and County of San Francisco General Purpose Sewer Revenue Bonds" (herein called the "Bonds"), of the series and designation indicated on the face hereof (herein called the "Series 1988B Bonds"). Said issue of Bonds is not limited in aggregate principal amount and consists or may consist of one or more series of varying denominations, dates, maturities, interest rates and other provisions, all issued and to be issued under and pursuant to the provisions of the Charter of the City and County of San Francisco, and all laws of the State of California supplemental thereto, including the Revenue Bond Law of 1941 to the extent made applicable by said Charter (herein collectively called the "Law"), and pursuant to Resolution No. 542-88, duly adopted by the Board of Supervisors of the City (the "Board") on July 17, 1988, as heretofore amended and supplemented by Resolution No. __-88, duly adopted by the Board on August _, 1988 (herein, together with any supplements or amendments thereto, called the "Resolution"). Reference is hereby made to the Resolution (a copy of which is on file at said office of the Fiscal Agent) and to the Law for a description of the terms on which the Bonds are issued, the provisions with regard to the nature and extent of the Pledged Revenues (as such term is defined in the Resolution) and the rights thereunder (and limitations thereon) of the registered owners of the Bonds and the rights, duties and immunities of the Fiscal Agent and the rights and obligations of the City thereunder; and all the terms of the Resolution and the Law are hereby incorporated herein and constitute a contract between the City and the registered owner of this Bond, and to all the provisions thereof the owner of this Bond, by his acceptance hereof, consents and agrees. Each owner hereof shall have recourse to all of the provisions of the Law and the Resolution and shall be bound by all of the terms and conditions thereof.

The Series 1988B Bonds are issued to provide funds for the improvement of the Enterprise, consisting of the City's sewage treatment and disposal system as more particularly described in the Resolution. The Bonds are special obligations of the City and are payable, as to the principal thereof, interest thereon and any premiums upon the redemption of any thereof, from the pledged revenues of the Enterprise (which, as more particularly defined in the Resolution, are therein and herein called the "Pledged Revenues"). All of the Bonds are equally secured by a pledge of, and charge and lien upon, all of the Pledged Revenues, and the Pledged Revenues constitute a trust fund for the security and payment of the interest on and principal of the Bonds; but nevertheless out of

Pledged Revenues certain amounts may be applied for other purposes as provided in the Resolution. Additional series of Bonds payable from the Pledged Revenues may be issued on a parity with the Bonds of this Series, but only subject to the conditions and limitations contained in the Resolution.

The principal of and interest on this Bond are payable solely from the Pledged Revenues, and the City is not obligated to pay them except from the Pledged Revenues. The general fund of the City is not liable, and the credit or taxing power of the City is not pledged, for the payment of the Bonds or their interest. The Bonds are not secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the City or any of its income or receipts, except the Pledged Revenues.

The rights and obligations of the City and the owners of the Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Resolution, but no such modification or amendment shall (1) extend the fixed maturity of this Bond or reduce the rate of interest hereon or extend the time of payment of interest, or reduce the amount of principal hereof or reduce any premium payable upon the redemption hereof, without the consent of the owner hereof, or (2) reduce the percentage of Bonds the consent of the registered owners of which is required for the amendment or modification of the Resolution; all as calculated and more fully set forth in the Resolution.

Series 1988B Bonds maturing on or prior to _____ 1, ___ are not subject to redemption before their respective stated maturities. Series 1988B Bonds maturing on or after _____ 1, 1998 are subject to redemption prior to their respective stated maturities, at the option of the City, from and to the extent of any source of available funds, as a whole on any date on or after _____ 1, ___, or in part on any interest payment date on or after _____ 1, ___, of such maturities or portions of maturities and of such tenor as shall be determined by the City if less than all of the Series 1988B Bonds are to be called for prior redemption and by lot within any such maturity if less than all of the Series 1988B Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption, plus a premium (expressed as a percentage of such principal amount) as set forth in the following schedule:

On or after	and prior to	
_____1	_____1	Premium

Series 1988B Term Bonds maturing on _____ 1, __ and payable from the Series 1988B Sinking Fund Account established pursuant to the Resolution are further subject to redemption prior to their respective stated maturities, from said Series 1988B Sinking Fund Account, on any _____ 1 on or after _____ 1, __, _____ 1, __, and _____ 1, __, respectively, and by lot within any such maturity and tenor if less than all of the Series 1988B Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption and without premium.

As provided in the Resolution, notice of redemption shall be mailed, not less than thirty nor more than sixty days prior to the redemption date, to the registered owner of this Bond.

If this Bond is called for redemption and payment is duly provided therefor as specified in the Resolution, interest shall cease to accrue hereon from and after the date fixed for redemption.

The Series 1988B Bonds are issuable as fully registered Series 1988B Bonds without coupons in the denomination of $5,000 or any integral multiple thereof provided that no Bond shall have principal maturing on more than one principal payment date. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Resolution, Series 1988B Bonds may be exchanged for a like aggregate principal amount of Series 1988B Bonds of the same series, tenor and maturity of other authorized denominations.

This Bond is transferable by the registered owner hereof, in person or by his attorney duly authorized in writing, at said office of the Fiscal Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. Upon such transfer a new fully registered Bond or Bonds, of authorized denomination or denominations and of the same series and tenor, for the same aggregate principal amount will be issued to the transferee in exchange herefor.

The City and the Fiscal Agent may treat the registered owner hereof as the absolute owner hereof for all purposes, and the City and the Fiscal Agent shall not be affected by any notice to the contrary.

It is hereby certified that all of the conditions, things and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Bond do exist, have happened or have been performed in due and regular time, form and manner as required by the Law and the laws of the State of California, and that the amount of this Bond, together with all other obligations of the City, does not exceed any limit prescribed by the Law or any laws of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Resolution.

This Bond shall not be entitled to any benefit under the Resolution, or become valid or obligatory for any purpose, until the certificate of authentication and registration hereon endorsed shall have been signed by the Fiscal Agent.

IN WITNESS WHEREOF, the City and County of San Francisco has caused this Bond to be executed on its behalf under the official seal of said City and County or a facsimile thereof, signed by the manual or facsimile signatures of its Mayor and of its Treasurer and countersigned by the manual or facsimile signature of its Clerk, all as of _____ 1, 19_.

CITY AND COUNTY OF SAN FRANCISCO

_____
Mayor of the City and County
of San Francisco

_____
Treasurer of the City and County
of San Francisco

(Seal)

Countersigned:

_____
Clerk of the Board of Supervisors
of the City and County of
San Francisco

[FORM OF FISCAL AGENT'S CERTIFICATE OF AUTHENTICATION AND REGISTRATION TO APPEAR ON SERIES 1988 BONDS]

This Bond is one of the Bonds described in the within-mentioned Resolution, which has been authenticated and registered on the date set forth below.

Dated: _____

SECURITY PACIFIC NATIONAL BANK,
as Fiscal Agent

By _____
Authorized Officer

EXHIBIT A-3

[FORM OF SERIES 1991 BOND]

$___ No. _____

State of California

City and County of San Francisco

SAN FRANCISCO GENERAL PURPOSE SEWER REVENUE BONDS

SERIES 1991

Dated Date	Interest Rate	Maturity Date	CUSIP No.
_____	_____	_____, __	_____

Registered Owner:

Principal Sum: DOLLARS

The CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation duly organized and existing under and pursuant to the Constitution and the laws of the State of California (herein called the "City"), for value received, hereby promises to pay (but only out of the net revenues hereinafter referred to) to the registered owner set forth above, or registered assigns, on the maturity date set forth above (subject to any right of prior redemption hereinafter provided for), the principal sum set forth above in lawful money of the United States of America, and to pay (but only out of the net revenues hereinafter referred to) interest thereon in like lawful money from the interest payment date next preceding the date of authentication of this Bond (unless this Bond is authenticated as of a day during the period from the 16th day of the month next preceding any interest payment date to and including such interest payment date, in which event it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before _____ 15, 19_, in which event it shall bear interest from _____ 1, 19_) until payment of such principal sum, at the interest rate per annum stated above, payable on _____ 1, 199_ and semiannually thereafter on April 1 and October 1 in each year. The principal (or redemption price) hereof is payable to the registered owner hereof upon the surrender hereof at the principal corporate trust office of Security Pacific National Bank (herein,

together with any successor as fiscal agent under the Resolution, hereinafter defined, called the "Fiscal Agent"), the trustee of the City, in San Francisco, California. The interest hereon is payable to the person whose name appears on the bond registration books of the Fiscal Agent as the registered owner hereof as of the close of business on the 15th day of the month immediately preceding an interest payment date, whether or not such day is a business day, such interest to be paid, except as provided in the Resolution, by check mailed to such registered owner at his address as it appears on such registration books. Interest on this Bond shall be calculated on the basis of a 360-day year comprised of twelve consecutive 30-day months.

This Bond is one of a duly authorized issue of revenue bonds of the City designated as the "City and County of San Francisco General Purpose Sewer Revenue Bonds" (herein called the "Bonds"), of the series and designation indicated on the face hereof (herein called the "Series 1991 Bonds"). Said issue of Bonds is not limited in aggregate principal amount and consists or may consist of one or more series of varying denominations, dates, maturities, interest rates and other provisions, all issued and to be issued under and pursuant to the provisions of the Charter of the City and County of San Francisco, and all laws of the State of California supplemental thereto, including the Revenue Bond Law of 1941 to the extent made applicable by said Charter (herein collectively called the "Law"), and pursuant to Resolution No. 542-88, duly adopted by the Board of Supervisors of the City (the "Board") on July 17, 1988, as heretofore amended and supplemented by Resolution No. 677-88, duly adopted by the Board on August 29, 1988 and by Resolution No. ___-91, duly adopted by the Board on July 15, 1991 (herein, together with any supplements or amendments thereto, called the "Resolution"). Reference is hereby made to the Resolution (a copy of which is on file at said office of the Fiscal Agent) and to the Law for a description of the terms on which the Bonds are issued, the provisions with regard to the nature and extent of the Pledged Revenues (as such term is defined in the Resolution) and the rights thereunder (and limitations thereon) of the registered owners of the Bonds and the rights, duties and immunities of the Fiscal Agent and the rights and obligations of the City thereunder; and all the terms of the Resolution and the Law are hereby incorporated herein and constitute a contract between the City and the registered owner of this Bond, and to all the provisions thereof the owner of this Bond, by his acceptance hereof, consents and agrees. Each owner hereof shall have recourse to all of the provisions of the Law and the Resolution and shall be bound by all of the terms and conditions thereof.

The Series 1991 Bonds are issued to provide funds for the improvement of the Enterprise, consisting of the City's sewage treatment and disposal system as more particularly described in the Resolution. The Bonds are special obligations of the City and are payable, as to the principal thereof, interest thereon and any premiums upon the redemption of any thereof, from the pledged revenues of the Enterprise (which, as more particularly defined in the Resolution, are therein and herein called the "Pledged Revenues"). All of the Bonds are equally secured by a pledge of, and charge and lien upon, all of the Pledged Revenues, and the Pledged Revenues constitute a trust fund for the security and payment of the interest on and principal of the Bonds; but nevertheless out of

Pledged Revenues certain amounts may be applied for other purposes as provided in the Resolution. Additional series of Bonds payable from the Pledged Revenues may be issued on a parity with the Bonds of this Series, but only subject to the conditions and limitations contained in the Resolution.

The principal of and interest on this Bond are payable solely from the Pledged Revenues, and the City is not obligated to pay them except from the Pledged Revenues. The general fund of the City is not liable, and the credit or taxing power of the City is not pledged, for the payment of the Bonds or their interest. The Bonds are not secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the City or any of its income or receipts, except the Pledged Revenues.

The rights and obligations of the City and the owners of the Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Resolution, but no such modification or amendment shall (1) extend the fixed maturity of this Bond or reduce the rate of interest hereon or extend the time of payment of interest, or reduce the amount of principal hereof or reduce any premium payable upon the redemption hereof, without the consent of the owner hereof, or (2) reduce the percentage of Bonds the consent of the registered owners of which is required for the amendment or modification of the Resolution; all as calculated and more fully set forth in the Resolution.

Series 1991 Bonds maturing on or prior to _____ 1, __ are not subject to redemption before their respective stated maturities. Series 1991 Bonds maturing on or after _____ 1, __ are subject to redemption prior to their respective stated maturities, at the option of the City, from and to the extent of any source of available funds, as a whole on any date on or after _____ 1, __, or in part on any interest payment date on or after _____ 1, __, of such maturities or portions of maturities and of such tenor as shall be determined by the City if less than all of the Series 1991 Bonds are to be called for prior redemption and by lot within any such maturity if less than all of the Series 1991 Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the dated fixed for redemption, plus a premium (expressed as a percentage of such principal amount) as set forth in the following schedule:

On or after _____ 1	and prior to _____ 1	Premium

Series 1991 Term Bonds maturing on _____ 1, __ and payable from the Series 1991 Sinking Fund Account established pursuant to the Resolution are further subject

to redemption prior to their respective stated maturities, from said Series 1991 Sinking Fund Account, on any _____ 1 on or after _____ 1, __, _____ 1, __, and _____ 1, __, respectively, and by lot within any such maturity and tenor if less than all of the Series 1991 Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption and without premium.

As provided in the Resolution, notice of redemption shall be mailed, not less than thirty nor more than sixty days prior to the redemption date, to the registered owner of this Bond.

If this Bond is called for redemption and payment is duly provided therefor as specified in the Resolution, interest shall cease to accrue hereon from and after the date fixed for redemption.

The Series 1991 Bonds are issuable as fully registered Series 1991 Bonds without coupons in the denomination of $5,000 or any integral multiple thereof provided that no Bond shall have principal maturing on more than one principal payment date. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Resolution, Series 1991 Bonds may be exchanged for a like aggregate principal amount of Series 1991 Bonds of the same series, tenor and maturity of other authorized denominations.

This Bond is transferable by the registered owner hereof, in person or by his attorney duly authorized in writing, at said office of the Fiscal Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. Upon such transfer a new fully registered Bond or Bonds, of authorized denomination or denominations and of the same series and tenor, for the same aggregate principal amount will be issued to the transferee in exchange herefor.

The City and the Fiscal Agent may treat the registered owner hereof as the absolute owner hereof for all purposes, and the City and the Fiscal Agent shall not be affected by any notice to the contrary.

It is hereby certified that all of the conditions, things and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Bond do exist, have happened or have been performed in due and regular time, form and manner as required by the Law and the laws of the State of California, and that the amount of this Bond, together with all other obligations of the City, does not exceed any limit prescribed by the Law or any laws of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Resolution.

This Bond shall not be entitled to any benefit under the Resolution, or become valid or obligatory for any purpose, until the certificate of authentication and registration hereon endorsed shall have been signed by the Fiscal Agent.

IN WITNESS WHEREOF, the City and County of San Francisco has caused this Bond to be executed on its behalf under the official seal of said City and County or a facsimile thereof, signed by the manual or facsimile signatures of its Mayor and of its Treasurer and countersigned by the manual or facsimile signature of its Clerk, all as of _____ 1, 19_.

CITY AND COUNTY OF SAN FRANCISCO

_____

Mayor of the City and County

of San Francisco

_____

Treasurer of the City and County

of San Francisco

(Seal)

Countersigned:

_____

Clerk of the Board of Supervisors
of the City and County of
San Francisco

[FORM OF FISCAL AGENT'S CERTIFICATE OF AUTHENTICATION AND REGISTRATION TO APPEAR ON SERIES 1991 BONDS]

This Bond is one of the Bonds described in the within-mentioned Resolution, which has been authenticated and registered on the date set forth below.

Dated: _____

SECURITY PACIFIC NATIONAL BANK,
as Fiscal Agent

By _____
Authorized Officer

EXHIBIT A-4

[FORM OF SERIES 1992 BOND]

$____ No. _____

State of California

City and County of San Francisco

SAN FRANCISCO SEWER REVENUE REFUNDING BONDS

SERIES 1992

Dated Date	Interest Rate	Maturity Date	CUSIP No.
_____	_____	_____, __	_____

Registered Owner:

Principal Sum: DOLLARS

The CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation duly organized and existing under and pursuant to the Constitution and the laws of the State of California and the Charter of the City (herein called the "City"), for value received, hereby promises to pay (but only out of the net revenues hereinafter referred to) to the registered owner set forth above, or registered assigns, on the maturity date set forth above (subject to any right of prior redemption hereinafter provided for), the principal sum set forth above in lawful money of the United States of America, and to pay (but only out of the net revenues hereinafter referred to) interest thereon in like lawful money from the interest payment date next preceding the date of authentication of this Bond (unless this Bond is authenticated as of a day during the period from the 16th day of the month next preceding any interest payment date to and including such interest payment date, in which event it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before _____ 15, 19_, in which event it shall bear interest from _____ 1, 19_) until payment of such principal sum, at the interest rate per annum stated above, payable on _____ 1, 199_ and semiannually thereafter on April 1 and October 1 in each year. The principal (or redemption price) hereof is payable to the registered owner hereof upon the surrender hereof at the principal corporate trust office of Bank of America National Trust and Savings Association as successor Fiscal Agent to Security Pacific

National Bank (herein, together with any successor as fiscal agent under the Resolution, hereinafter defined, called the "Fiscal Agent"), the trustee of the City, in San Francisco, California. The interest hereon is payable to the person whose name appears on the bond registration books of the Fiscal Agent as the registered owner hereof as of the close of business on the 15th day of the month immediately preceding an interest payment date, whether or not such day is a business day, such interest to be paid, except as provided in the Resolution, by check mailed to such registered owner at his address as it appears on such registration books. Interest on this Bond shall be calculated on the basis of a 360-day year comprised of twelve consecutive 30-day months.

This Bond is one of a duly authorized issue of revenue bonds of the City designated as the "City and County of San Francisco Sewer Revenue Refunding Bonds" (herein called the "Bonds"), of the series and designation indicated on the face hereof (herein called the "Series 1992 Bonds"). Said issue of Bonds is not limited in aggregate principal amount and consists or may consist of one or more series of varying denominations, dates, maturities, interest rates and other provisions, all issued and to be issued under and pursuant to the provisions of the Charter of the City, and all laws of the State of California supplemental thereto, including the Revenue Bond Law of 1941 to the extent made applicable by said Charter (herein collectively called the "Law"), and pursuant to Resolution No. 542-88, duly adopted by the Board of Supervisors of the City (the "Board") on July 17, 1988, as heretofore amended and supplemented by Resolution No. 677-88, duly adopted by the Board on August 29, 1988, by Resolution No. 605-91, duly adopted by the Board on July 15, 1991, as heretofore amended and restated by Resolution No. ____-92 duly adopted by the Board on _____, 1992 (herein, together with any supplements or amendments thereto, called the "Resolution"). Reference is hereby made to the Resolution (a copy of which is on file at said office of the Fiscal Agent) and to the Law for a description of the terms on which the Bonds are issued, the provisions with regard to the nature and extent of the Net Revenues (as such term is defined in the Resolution) and the rights thereunder (and limitations thereon) of the registered owners of the Bonds and the rights, duties and immunities of the Fiscal Agent and the rights and obligations of the City thereunder; and all the terms of the Resolution and the Law are hereby incorporated herein and constitute a contract between the City and the registered owner of this Bond, and to all the provisions thereof the owner of this Bond, by the acceptance hereof, consents and agrees. Each owner hereof shall have recourse to all of the provisions of the Law and the Resolution and shall be bound by all of the terms and conditions thereof.

The Series 1992 Bonds are issued to provide funds for refunding of the Prior Bonds in order to achieve debt service savings and defease all First Lien Bonds as more particularly described in the Resolution. The Bonds are special obligations of the City and are payable, as to the principal thereof, interest thereon and any premiums upon the redemption of any thereof, from the pledged revenues of the Enterprise (which, as more particularly defined in the Resolution, are therein and herein called the "Net Revenues"). All of the Bonds are equally secured by a pledge of, and charge and lien upon, all of the Net Revenues, and the Net Revenues constitute a trust fund for the security and payment of the interest on and principal of the Bonds; but nevertheless out of Net Revenues certain

amounts may be applied for other purposes as provided in the Resolution. Additional series of Bonds payable from the Net Revenues may be issued on a parity with the Bonds of this Series, but only subject to the conditions and limitations contained in the Resolution.

The principal of and interest on this Bond are payable solely from the Net Revenues, and the City is not obligated to pay them except from the Net Revenues. The general fund of the City is not liable, and the credit or taxing power of the City is not pledged, for the payment of the Bonds or their interest. The Bonds are not secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the City or any of its income or receipts, except the Net Revenues.

The rights and obligations of the City and the owners of the Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Resolution, but no such modification or amendment shall (1) extend the fixed maturity of this Bond or reduce the rate of interest hereon or extend the time of payment of interest, or reduce the amount of principal hereof or reduce any premium payable upon the redemption hereof, without the consent of the owner hereof, or (2) reduce the percentage of Bonds the consent of the registered owners of which is required for the amendment or modification of the Resolution; all as calculated and more fully set forth in the Resolution.

Series 1992 Bonds maturing on or prior to _____ 1, __ are not subject to redemption before their respective stated maturities. Series 1992 Bonds maturing on or after _____ 1, __ are subject to redemption prior to their respective stated maturities, at the option of the City, from and to the extent of any source of available funds, as a whole or in part on any date on or after _____ 1, __, of such maturities or portions of maturities and of such tenor as shall be determined by the City if less than all of the Series 1992 Bonds are to be called for prior redemption and by lot within any such maturity if less than all of the Series 1992 Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption, plus a premium (expressed as a percentage of such principal amount) as set forth in the following schedule:

On or after _____1	and prior to _____1	Premium

Series 1992 Term Bonds maturing on _____ 1, __ and payable from the Series 1992 Sinking Fund Account established pursuant to the Resolution are further subject to redemption prior to their respective stated maturities, from said Series 1992 Sinking

Fund Account, on any _____ 1 on or after _____ 1, __, _____ 1, __, and _____ 1, __, respectively, and by lot within any such maturity and tenor if less than all of the Series 1992 Bonds of such maturity and tenor be redeemed, at the principal amount thereof and accrued interest thereon to the date fixed for redemption and without premium.

As provided in the Resolution, notice of redemption shall be mailed, not less than thirty nor more than sixty days prior to the redemption date, to the registered owner of this Bond.

If this Bond is called for redemption and payment is duly provided therefor as specified in the Resolution, interest shall cease to accrue hereon from and after the date fixed for redemption.

The Series 1992 Bonds are issuable as fully registered Series 1992 Bonds without coupons in the denomination of $5,000 or any integral multiple thereof provided that no Bond shall have principal maturing on more than one principal payment date. Subject to the limitations and conditions and upon payment of the charges, if any, as provided in the Resolution, Series 1992 Bonds may be exchanged for a like aggregate principal amount of Series 1992 Bonds of the same series, tenor and maturity of other authorized denominations.

This Bond is transferable by the registered owner hereof, in person or by his attorney duly authorized in writing, at said office of the Fiscal Agent, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Bond. Upon such transfer a new fully registered Bond or Bonds, of authorized denomination or denominations and of the same series and tenor, for the same aggregate principal amount will be issued to the transferee in exchange herefor.

The City and the Fiscal Agent may treat the registered owner hereof as the absolute owner hereof for all purposes, and the City and the Fiscal Agent shall not be affected by any notice to the contrary.

It is hereby certified that all of the conditions, things and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Bond do exist, have happened or have been performed in due and regular time, form and manner as required by the Law and the laws of the State of California, and that the amount of this Bond, together with all other obligations of the City, does not exceed any limit prescribed by the Law or any laws of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Resolution.

This Bond shall not be entitled to any benefit under the Resolution, or become valid or obligatory for any purpose, until the certificate of authentication and registration hereon endorsed shall have been signed by the Fiscal Agent.

IN WITNESS WHEREOF, the City has caused this Bond to be executed on its behalf under the official seal of said City or a facsimile thereof, signed by the manual or facsimile signatures of its Mayor and of its Treasurer and countersigned by the manual or facsimile signature of its Clerk, all as of _____ 1, 19_.

CITY AND COUNTY OF SAN FRANCISCO

_____
Mayor of the City and County
of San Francisco

_____
Treasurer of the City and County
of San Francisco

(Seal)

Countersigned:

_____
Clerk of the Board of Supervisors
of the City and County of
San Francisco

[FORM OF FISCAL AGENT'S CERTIFICATE OF AUTHENTICATION AND REGISTRATION TO APPEAR ON SERIES 1992 BONDS]

This Bond is one of the Bonds described in the within-mentioned Resolution, which has been authenticated and registered on the date set forth below.

Dated: _____

BANK OF AMERICA NATIONAL TRUST
AND SAVINGS ASSOCIATION,
as Fiscal Agent

By _____
Authorized Officer

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
170-92-9

8/4/92
Date Approved

Mayor

RESOLUTION AUTHORIZING AND DIRECTING THE SALE OF NOT TO EXCEED $385,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY AND COUNTY OF SAN FRANCISCO SEWER REVENUE REFUNDING BONDS, SERIES 1992; AUTHORIZING THE PUBLICATION OF OFFICIAL NOTICE OF SALE RELATING THERETO; APPROVING THE FORM OF THE OFFICIAL STATEMENT; AND AUTHORIZING OFFICIAL ACTION.

WHEREAS, the Board of Supervisors of the City and County of San Francisco (herein called the "City"), by a resolution adopted this day, duly provided for the issuance of not to exceed $385,000,000 aggregate principal amount of City and County of San Francisco Sewer Revenue Refunding Bonds, Series 1992 (herein called the "Series 1992 Bonds"), and it is desirable that the Series 1992 Bonds be offered for public sale;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of City and County of San Francisco, as follows:

Section 1. The date upon which such bids for the purchase of the Series 1992 Bonds shall be received (the "Sale Date or Dates") shall be established by the Chief Administrative Officer and shall be no later than December 1, 1992. The aggregate principal amount of Series 1992 Bonds to be sold shall be established by the Chief Administrative Officer, but shall not exceed $385,000,000. The Chief Administrative Officer shall also determine the form of the Series 1992 Bonds, whether serial or term bonds, the maturity date(s), the redemption date(s) and the redemption premium(s), if any, for the Series 1992 Bonds; provided, however, that the Series 1992 Bonds must mature no later than October 1, 2021; the interest rate(s) on the Series 1992 Bonds shall not exceed twelve percent (12%) per annum; and the redemption premiums on the Series 1992 Bonds shall not exceed three percent (3%).

Section 2. The office of the Clerk of the Board of Supervisors, Room 235, City Hall, San Francisco, California, is hereby fixed as the place, and 10:00 a.m. California time as the time, at which bids will be received for the purchase of the Series 1992 Bonds, subject to the terms and conditions of the notice of sale hereinafter set forth.

Section 3. The Clerk of the Board of Supervisors is hereby authorized and directed to cause the notice of sale of the Series 1992 Bonds to be published once, not later than five (5) days before the Sale Date, in the official newspapers of the City, and such notice shall be in substantially the form as set forth in Appendix A hereto with such changes, additions and completions as the Chief Administrative Officer may approve with the advice of counsel.

Section 4. The Clerk of the Board of Supervisors is hereby authorized and directed to cause a notice of the intention to sell the Series 1992 Bonds to be published once, at least fifteen (15) days prior to the Sale Date, in The Wall Street Journal (Pacific Coast Edition), a financial publication generally circulated throughout the State of California. Such notice shall include the date or dates, time and place of the sale and the amount of bonds to be sold.

Section 5. The Chief Administrative Officer is authorized to cause an official statement of the City relating to the Series 1992 Bonds to be prepared by Public Financial Management, Inc., and Charles A. Bell Securities Corp., financial advisors to the City. Said official statement shall be substantially in the form presented to this meeting, with such changes, additions and completions therein as the Chief Administrative Officer may approve with the advice of counsel. When the form of said official statement has been approved by the Chief Administrative Officer and by the Controller, the Chief Administrative Officer may authorize the issuance and distribution thereof, including the mailing by said financial advisors to prospective bidders for the Series 1992 Bonds of copies of said official statement, of the Resolution and of the notice of sale of the Series 1992 Bonds, the cost of printing and mailing said documents to be borne by the City.

Section 6. The Chief Administrative Officer is authorized to award the Series 1992 Bonds in the name and on behalf of the City under the terms and conditions stated in the Official Notice of Sale to the bidder with the best bid therefor determined in accordance with said notice of sale.

Section 7. The Mayor, Chief Administrative Officer, Clerk of the Board of Supervisors, City Attorney, City Controller, Treasurer, the Director of Public Works and other appropriate officers, agents and employees of the City are each hereby authorized and directed in the name and on behalf of the City to take any and all steps and to issue and deliver any and all certificates, requisitions, agreements, notices, consents, and other documents, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of said Series 1992 Bonds.

DOCUMENTS DEPT.
AUG 13 1992
SAN FRANCISCO
PUBLIC LIBRARY

Section 8. This resolution shall take effect from and after its passage and approval.

PASSED AND ADOPTED this 3rd day of August, 1992, by the following vote:

AYES: ACHTENBERG, ALIOTO, BRITT, CONROY, GONZALEZ, HALLINAN, HSIEH, SHELLEY

NOES: —

ABSENT: KENNEDY, MAHER, MIGDEN

Approved:

Mayor of the City and County of San Francisco

Attest:

Clerk of the Board of Supervisors

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By
Deputy City Attorney

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 170-92-9.1

8/4/92
Date Approved

Mayor

FILE NO. 147-92-4 RESOLUTION NO. 658-92

[Grant Contract - State]

AUTHORIZING THE EXECUTION OF A GRANT CONTRACT WITH THE CALIFORNIA STATE LIBRARY FOR THE AWARD OF A GRANT OF LIBRARY CONSTRUCTION AND RENOVATION BOND ACT FUNDS, WHICH CONTRACT PROVIDES FOR THE STATE TO BE INDEMNIFIED AND HELD HARMLESS FROM ALL CLAIMS OR DAMAGES WHICH MAY ARISE IN RELATION TO THE CONTRACT.

WHEREAS, The City and County of San Francisco has been selected as a recipient of California Library Construction and Renovation Bond Act funds, for purposes of renovating and expanding the Chinatown Branch Library, and

WHEREAS, The California State Library is the Agency designated by statute to administer grants under the Bond Act, and

WHEREAS, The California State Library has submitted for City approval an Agreement between the City and the State which describes the terms under which the Bond Act funds will be provided to the City, and

WHEREAS, Certain modifications have been made to the Agreement to the satisfaction of the City staff, and the City staff has recommended that the Agreement be executed by the City, and

WHEREAS, The California State Library has made it imperative that the City indemnify and hold the State harmless from all claims or damages which may arise in relation to the Agreement, and

WHEREAS, A copy of this agreement is on file with the Clerk of the Board of Supervisors in File no. , and

WHEREAS, The City is desirous of entering into said Agreement with the State and to initiate the Chinatown Branch Project expeditiously; now therefore be it

RESOLVED That the Agreement between the City and County of San Francisco and the California State Library, which is dated the 1st day of August, 1992, including exhibits A through G which are parts thereof, is approved; and be it

FURTHER RESOLVED, That the Agreement may contain the following indemnification and hold harmless clause:

C. GRANT RECIPIENT indemnifies and holds harmless the Board, the State and their officers, employees and agents from any and all liability, claims, loss, damages, costs or expenses, from all claims relating to:

1. Labor performed or furnished and materials used or employed for the work as set forth in Exhibit A of this agreement; and,

2. Injuries to any person, corporation, real or tangible personal property, received or sustained by or from the GRANT RECIPIENT and its employees or sub-contractors and their employees in doing the work, or in consequence of any improper materials, implements or labor used or employed therein, as set forth in Exhibit A of this agreement; and,

3. Any act, omission or neglect of the GRANT RECIPIENT or its employees arising from this agreement; and,

4. Violations of any California Environmental Quality Act (CEQA) codes or regulations arising from this agreement

and, be it

FURTHER RESOLVED that the Mayor is hereby authorized to sign the Agreement with the California State Library; and be it

FURTHER RESOLVED, that the Mayor is authorized to sign Exhibit D and Exhibit F which are part of said Agreement.

FRANK M. JORDAN
Mayor

EDWARD HARRINGTON
Controller

N/A
JOHN TAYLOR
Clerk of the Board of Supervisors

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CC

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
147-92-4

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 1-92-31 RESOLUTION NO. 659-92

LA

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Carole Migden, member, Board of Supervisors,
August 1 - 8;
Edward A. Chow, M.D., member, Health Commission,
August 13 - 20;
Robert H. Feldman, Executive Director, Board of Permit Appeals,
August 19 - 24;
Michael P. Huerta, Executive Director, Port of San Francisco,
July 27 - 30;
J. Stanley Mattison, Vice President, Airports Commission,
July 22 - 24, 1992.

Adopted on date of introduction
Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Maher Shelley

Absent: Supervisors Britt Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
1-92-31

AUG 07 1992
Date Approved

Mayor

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FILE NO. 42-92-29 RESOLUTION NO. 660-92

OC

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF JONES STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Jones Street, between Turk Street and Golden Gate Avenue, Monday, August 10, 1992, 8:30 a.m. until 12:00 p.m. for a construction start ceremony for affordable housing project sponsored by Chinese Community Housing; and

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Jones Street, between Turk Street and Golden Gate Avenue, Monday, August 10, 1992, 8:30 a.m. until 12:00 p.m. for a construction start ceremony for affordable housing project sponsored by Chinese Community Housing;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

BOARD OF SUPERVISORS

Adopted on date of introduction
Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Maher Shelley

Absent: Supervisors Britt Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
42-92-29

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 55-92-3 RESOLUTION NO. 661-92

[Lead Contamination at Fort Point]

COMMENDING THE GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT, THE GOLDEN GATE NATIONAL RECREATION AREA, AND THE UNITED STATES ARMY FOR THEIR EFFORTS TO FENCE THE AREAS OF FORT POINT THAT HAVE BEEN CONTAMINATED BY LEAD-BASED PAINT DEBRIS, REQUESTING THESE AGENCIES TO PREPARE A LONG-RANGE PLAN TO ELIMINATE, IN A SAFE MANNER, THE LEAD PAINT DEBRIS, AND TO TAKE ANY OTHER ACTIONS THAT MAY BE NEEDED TO PREVENT PERSONS FROM HAVING CONTACT WITH THE CONTAMINATED AREAS OF FORT POINT.

WHEREAS, The Golden Gate Bridge, Highway and Transportation District (the "Bridge District"), the Golden Gate National Recreation Area (the "GGNRA"), and the United States Army (the "Army") are each involved in the management or affect the operation of the area known as Fort Point National Historic Site within the Golden Gate National Recreation Area, on the Presidio of San Francisco ("Fort Point"); and

WHEREAS, The California Environmental Protection Agency, Department of Toxic Substances Control (Cal-EPA), issued an Administrative Order finding that there has been a release of hazardous substances (lead) on, under, or into the land of Fort Point, and the site now poses a public health risk if human contact is made with the hazardous substance or the nearby surrounding contaminated area; and

/ / /

WHEREAS, The Cal-EPA order required the three agencies to install a fence at Fort Point to secure certain areas at Fort Point and keep citizens from wandering into the affected areas; and

WHEREAS, The Cal-EPA order also required signs to be posted on the fence in English and several other languages advising that persons should keep out of the area due to its hazardous condition; and

WHEREAS, It appears that the hazardous condition arises from the sanding of the Golden Gate Bridge and the paint debris that results from the sanding; and

WHEREAS, The three involved agencies should be commended for their efforts to fence the affected area; and

WHEREAS, There remains a need to prepare a long-range plan to eliminate, in a safe manner, the lead paint debris that is causing the hazardous condition at Fort Point, and to take any other actions that may be needed on a short-term basis to prevent persons from having contact with the contaminated areas of Fort Point; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby commends the Bridge District, the GGNRA, and the Army for their efforts to fence the areas of Fort Point that have been contaminated by lead-based paint debris resulting from the sanding of the Golden Gate Bridge; and, be it

FURTHER RESOLVED, That the Board of Supervisors requests these agencies to prepare a long-range plan to eliminate, in a safe

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manner, the lead paint debris that is causing the hazardous condition at Fort Point, and to take any other actions that may be needed on a short-term basis to prevent persons from having contact with the contaminated areas of Fort Point.

oc

Adopted on date of introduction
Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Maher Shelley

Absent: Supervisors Britt Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
55-92-3

AUG 07 1992

Date Approved

Mayor

FILE NO. 146-92-58 RESOLUTION NO. 662-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO ACCEPT AND EXPEND A GRANT OF $99,534 FROM THE HEALTH RESOURCES AND SERVICES ADMINISTRATION TO FUND THE FIELD TEST OF THE UNIFORM REPORTING SYSTEM PROJECT; WAIVING INDIRECT COSTS AND PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

WHEREAS, The Health Resources and Services Administration cannot, by federal legislation, allow for indirect costs for Ryan White Comprehensive AIDS Resources Emergency (CARE) Disaster Relief-funded activities, of which this grant is part; now, therefore be it

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to accept and expend a grant of $99,534 from the Health Resources and Services Administration to fund the Field Test of the Uniform Reporting System Project to the residents of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

RECOMMENDED:

Florence Stoud for
Raymond J. Baxter, Ph.D.
Director of Health

Jean M. Marian
MAYOR'S OFFICE

APPROVED:

Sandy Ouye Mori
Health Commission

EDWARD HARRINGTON
CONTROLLER

Public Health By

OC

Adopted on date of introduction
Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Maher Shelley

Absent: Supervisors Britt Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
146-92-58

AUG 07 1992
Date Approved

Mayor

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FILE NO. 13-92-14 RESOLUTION NO. 663-92

[Waivers for HIV-Infected Cuban AIDS Experts]

URGING THE DEPARTMENT OF JUSTICE AND THE DEPARTMENT OF STATE TO GRANT WAIVERS FROM THEIR POLICY OF EXCLUSION TO THE UNITED STATES OF HIV-INFECTED INDIVIDUALS AND CUBAN GOVERNMENT AND PARTY OFFICIALS TO ALLOW DR. JORGE PEREZ AVILA, DR. JUAN CARLOS DE LA CONCEPCION RAXACH AND MR. RAUL LLANOS TORRES TO TRAVEL FROM CUBA AND SPEAK AT A SERIES OF AIDS CONFERENCES IN THE SAN FRANCISCO BAY AREA IN THE FALL OF 1992, AND TO COMMUNICATE THIS RESOLUTION TO THE APPROPRIATE PARTIES.

WHEREAS, The Department of Medicine at San Francisco General Hospital and the Institute for Health Policy Studies at the University of California, San Francisco, have invited Dr. Jorge Perez Avila, Director of the AIDS Sanitorium in Santiago de las Vegas, Cuba, Dr. Juan Carlos de la Concepcion Raxach, staff doctor at the Sanitorium and Mr. Raul Llanos Torres to speak at a series of conferences in the San Francisco Bay Area in the Fall of 1992; and

WHEREAS, Dr. Perez is internationally renowned for his work on AIDS; he spoke at the International Conference on AIDS in San Francisco in June, 1990, in Venezuela in March 1991, and in Atlanta, Georgia, and at the American Public Health Association Annual Meeting in November, 1991; he serves as an expert consultant on AIDS for the Pan American Health Organization; and,

WHEREAS, Since 1988, all AIDS patients in Cuba have been under the care of Dr. Perez at the Pedro Kouri Tropical Medicine Institute, where he is head of the Medical Department; and,

WHEREAS, Dr. de la Concepcion has been working as a staff doctor since 1989 at the Santiago de las Vegas AIDS Sanitorium; is one of the architects of Cuba's AIDS Education outreach program; he founded the AIDS Information Bureau of the Health Education Center in Havana, where he does counseling, and the AIDS Prevention Group at the Sanitorium, made up of patients and staff members, and lectures to medical personnel on AIDS prevention and to youth and others, in schools and on radio and television; and,

WHEREAS, Mr. Raul LLanos Torres participates in AIDS work on education, planning and outreach and has computerized the only known statistical data on HIV transmission in Cuba; and,

WHEREAS, The AIDS epidemic is the most serious global health problem of our time, and it is essential that we learn of the work being done by professionals in every country to combat the spread of the HIV virus; and,

WHEREAS, it is difficult for us to get information on AIDS research, treatment and prevention education in Cuba, an island nation whose experience is unique in this regard; and,

WHEREAS, Dr. de la Concepcion and Mr. LLanos Torres are HIV positive; and,

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WHEREAS, Federal regulations prohibit travel to the United States of HIV-infected individuals unless the purpose of the visit is to seek medical treatment, visit relatives, conduct business or attend AIDS-related educational conferences or gatherings; and

WHEREAS, HIV-infected individuals wishing to enter the United States for these four purposes must demonstrate that their visit will not be to the detriment of the public health and must obtain a waiver from the policy of exclusion; and

WHEREAS, Medical evidence is conclusive that the visits of Juan Carlos de la Concepcion Raxach, M.D. and Raul Llanos Torres pose no medical threat to the general public; and

WHEREAS, In fact, meetings scheduled by Jorge Perez Avila, M.D., Juan Carlos de la Concepcion Raxach, M.D. and Raul Llanos Torres with AIDS organizations and medical centers in the United States will further the purposes of AIDS education and prevention both in the United States and Cuba; and

WHEREAS, A Presidential Proclamation issued in October, 1985 which invoked Section 212F of the Immigration and Nationality Act makes Cuban government and party officals ineligible for non-immigrant visas for travel to the United States; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the Department of Justice to grant Dr. de la Concepcion and Mr. Llanos Torres waivers from the policy of exclusion to the United States by HIV-infected individuals in the interest of AIDS prevention and education both here and in their home country of Cuba; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Department of State to grant Dr. Perez, Dr. de la Concepcion and Mr. Lanos Torres waivers from the ineligibility of Cuban government and party officials to travel to the United States under the Presidential Proclamation of October, 1985; and, be it

FURTHER RESOLVED, That this resolution be communicated to the Department of Justice and the Department of State in an expedient and timely manner.

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Maher Shelley

Absent: Supervisors Britt Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
13-92-14

AUG 07 1992
Date Approved

Mayor

FILE NO. 12-92-36 RESOLUTION NO. 664-92

[State Court Resource Conservation]

ENDORSING THE PETITION OF THE SIERRA CLUB LEGAL DEFENSE FUND WHICH CALLS UPON THE STATE COURTS TO REQUIRE THE USE OF RECYCLED PAPER, ADOPT A POLICY REQUIRING DOUBLE-SIDED COPYING OF NON-ORIGINAL DOCUMENTS, AND USE UNBLEACHED PAPER.

WHEREAS, Over the past decade the City and County of San Francisco has experienced a rapid increase in the cost of disposing its waste at the Altamont landfill; and

WHEREAS, The Altamont landfill is expected to close within fifteen years, and the cost-per-ton of solid waste disposal is expected to rise steeply after that time; and

WHEREAS, Discontinuing the use of unnecessary materials is in the long-term financial and public health interest of San Francisco; and

WHEREAS, Resource conservation is imperative to preserve the health of ecosystems on the planet Earth, and the most environmentally and economically sound methods of resource conservation are, in priority order, source reduction, reuse and recycling; and

WHEREAS, The Municipal and Superior Courts, the State Court of Appeals, and the State Supreme Courts, all located in San Francisco, contribute tremendous volumes of paper to the City's overburdened waste disposal system and recycling program; and

WHEREAS, The Board of Supervisors has recognized the

importance of creating and supporting markets for recycled paper by encouraging every department of the City to demand and purchase recycled paper and by creating price-preference programs for such purchases; and

WHEREAS, The recycling centers that collect paper generated in the City are struggling to find markets for this waste paper, and demand for this waste paper is dictated by demand for recycled goods; and

WHEREAS, The Board of Supervisors anticipates that the price of the recycled paper products that the City purchases will drop as demand for such products increases and the paper industry invests in recycling equipment; and

WHEREAS, San Francisco recognizes that in the process of bleaching wood pulp with chlorine bleach to produce white paper compounds, like dioxins, are produced which pose a serious hazard to public health; now, therefore, be it

RESOLVED, That for the reasons stated above, including the promotion of economic, conservation, public health and public policy benefits, the Board of Supervisors of the City and County of San Francisco endorses the petition to the State Judicial Council, to be filed in June of 1992, by the Sierra Club Legal Defense Fund, which proposes that all California Courts:

1. Require that filings, exhibits, and service copies be printed on recycled paper (with at least 50% waste paper content and 10% post-consumer waste content);

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2. Allow, for a period of five years, non-original copies of all filing to be double-sided and after five years to make such practice mandatory;

3. Encourage the use of paper that does not generate toxic products during its production by allowing filings to be printed on unbleached paper.

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Maher Shelley

Absent: Supervisors Britt Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

File No.
12-92-36

FILE NO. 15-92-1

RESOLUTION NO. 665-92

[Taxicab Stands]
RESCINDING TAXICAB STANDS ON MASON STREET.

RESOLVED, That pursuant to the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following taxi zone regulation is hereby rescinded as designated below:

Taxi Zone - Rescind
Mason Street, west side, from 58 feet to 80 feet north of Post Street (22-foot zone);

Mason Street, west side, from 102 feet to 140 feet north of Post Street (38-foot zone).

ECONOMIC AND SOCIAL POLICY COMMITTEE

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Maher Shelley

Absent: Supervisors Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
15-92-1

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 18-92-9 RESOLUTION NO. 666-92

CC

[Stop Intersections]
DESIGNATING CERTAIN INTERSECTIONS AS "STOP" INTERSECTIONS.

RESOLVED, That pursuant to the provisions of the California Vehicle Code, the following intersections are hereby designated as "Stop" intersections, and the Department of Parking and Traffic is hereby authorized and directed to cause "Stop" signs to be installed thereat as designated below:

Stop Signs – Establish
Grove Street and Lyon Street, northeast and southwest corners, stopping Grove Street traffic (makes this an all-way Stop);

Grove Street and Central Street, northeast and southwest corners, stopping Grove Street traffic (makes this an all-way Stop).

SUPERVISOR MIGDEN

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
18-92-9

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 18-92-10 RESOLUTION NO. 667-92

CC

[Stop Intersections]
DESIGNATING CERTAIN INTERSECTIONS AS "STOP" INTERSECTIONS.

RESOLVED, That pursuant to the provisions of the California Vehicle Code, the following intersections are hereby designated as "Stop" intersections, and the Department of Parking and Traffic is hereby authorized and directed to cause "Stop" signs to be installed thereat as designated below:

Stop Signs - Establish

Rutland Street and Tucker Avenue, northeast and southwest corners, stopping Tucker Avenue traffic;

Rhine and Wilson Streets, northwest and southeast corners, stopping Rhine Street traffic;

Williams Avenue, Neptune Street and Newhall Street, northeast and southwest corners, stopping Williams Avenue traffic (makes this an all-way Stop);

Arguello Boulevard and Jackson Street, northwest and southeast corners, stopping Arguello Boulevard traffic (makes this an all-way Stop);

19th Avenue and Anza Street, northwest and southeast corners, stopping 19th Avenue traffic (makes this an all-way Stop);

Beverly and Shields Streets, southwest and northeast corners, stopping Shields Street traffic;

Mariposa and Bryant Streets, northwest and southeast corners, stopping Bryant Street traffic (makes this an all-way Stop);

Caine and Lakeview Avenues, northwest corner, stopping Caine Avenue traffic;

Holloway Avenue and Monticello Street, southeast and northwest corners, stopping Monticello Street traffic;

Lakeview and Margaret Avenues, all corners, stopping all approaches (makes this an all-way Stop).

ECONOMIC AND SOCIAL POLICY COMMITTEE

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 18-92-10

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 19-92-9 RESOLUTION NO. 668-92

CC

[Parking Regulations]
ENACTING PARKING REGULATIONS ON VARIOUS STREETS.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the parking of vehicles are hereby enacted as designated below:

Extended Hours of Parking Meter Operation – Establish
Pierce Street parking lot (3252 Pierce Street) 9 a.m. to 10 p.m. everyday.

4-Hour Parking Time Limit, 7 a.m. to 6 p.m., Monday Through Saturday – Rescind
1-Hour Parking Time Limit, 7 a.m. to 6 p.m., Monday through Saturday – Establish
Missouri Street, eastside, from Army Street to north terminus.

Motorcycle Parking Stalls (Non-Metered) – Establish
Harrison Street, north side, from the east property line at 1354 Harrison Street to 18 feet westerly (18-foot zone, 5 stalls).

4-Hour Parking time limit, Monday through Friday, 9 a.m. – 6 p.m.-Establish
Thomas Avenue, both sides, from Silver Avenue to north terminus.

No Parking Anytime – Establish
Thomas Avenue, end portion of cul-de-sac, north of Silver Avenue (adjacent to and including Phillip Burton High School driveway).

Tow-Away, No Parking Anytime – Establish
Dearborn Street, both sides, between 18th and Bird Streets (replaces existing No Parking Anytime regulation).

Parking Meter Area 3 – Rescind
14th Street, north side, from 102 feet west of Valencia Street westerly to Guerrero Street.

14th Street, south side, from 67 feet west of Valencia Street westerly to Guerrero Street.

Perpendicular (90-Degree Angle) Parking – Rescind
Connecticut Street, east side, between 16th and 17th Streets.

Perpendicular (90-Degree Angle) Parking – Establish
Connecticut Street, west side, between 16th and 17th Streets.

ECONOMIC AND SOCIAL POLICY COMMITTEE

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 19-92-9

AUG 07 1992
Date Approved

Mayor

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FILE NO. 20-92-10 RESOLUTION NO. 669-92

CC

[Traffic Regulations]
ENACTING TRAFFIC REGULATIONS ON VARIOUS STREETS.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the movement of vehicles are hereby enacted as designated below:

Tow-Away No Stopping Anytime - Establish
Stanyan Street, east side, from Fell Street to 145 feet north (145-foot zone).

O'Farrell Street, north side, from St. Joseph's Street to 110 feet westerly (110-foot zone).

Tow-Away No Stopping Anytime - Rescind
Main Street, west side, from Mission Street to 52 feet north (52-foot zone).

Left Lane Must Turn Left - Establish
Clement Street, eastbound and westbound, at Park Presidio Boulevard.

Lake Street, eastbound and westbound, at Park Presidio Boulevard.

California Street, eastbound and westbound, at Park Presidio Boulevard.

Balboa Street, eastbound and westbound, at Park Presidio Boulevard.

Left Lane Must Turn Left - Rescind
O'Farrell Street, eastbound at Grant Avenue.

Right Lane Must Turn Right - Establish
Mission Street, northbound, at 13th Street.

Sutter Street westbound, at Sansome Street.

Right Lane Must Turn Right - Rescind
Market Street, westbound, at Sutter Street.

No Turn on Red - Establish
Chestnut Street, eastbound and westbound, at Columbus and at Taylor Street.

Green Zone, 7 a.m. - 12 Midnight Everyday - Time Extension (Fee Required)
1524 Silver Avenue, 20 feet east from west building line (20-foot zone).

No Left Turn, Buses Excepted - Establish
Mission Street, southbound, at 14th Street.

ECONOMIC AND SOCIAL POLICY COMMITTEE

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 20-92-10

AUG 07 1992
Date Approved

Mayor

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FILE NO. 48-92-15 RESOLUTION NO. 670-92

RO #92019

(SETTLEMENT OF CLAIM)

APPROVING THE SETTLEMENT OF THE UNLITIGATED CLAIM OF NEVA OLSON IN THE SUM OF $35,000.00.

WHEREAS, Neva Olson has filed a claim against the City & County of San Francisco for Personal Injury;

WHEREAS, the Department of Public Works of the City & County of San Francisco has recommended settlement of said claim by payment of $35,000.00;

WHEREAS, the City Attorney has approved the settlement, now therefore, be it

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $35,000.00 is hereby approved.

APPROVED AS TO FORM AND RECOMMENDED

LOUISE H. RENNE
City Attorney

KIMBERLY REILEY CLEMENT
Chief Trial Deputy

RECOMMENDED:

Department of Public Works

JOHN E. CRIBBS, Director

APPROVED:

RUDOLPH NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

RICHARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $35,000.00

JUN 16 1992

BOARD OF SUPERVISORS

CC

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 48-92-15

AUG 07 1992
Date Approved

Mayor

DOCUMENTS DEPT.
AUG 13 1992
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FILE NO. 48-92-16 RESOLUTION NO. 671-92

RO #92011

(SETTLEMENT OF CLAIM)

APPROVING THE SETTLEMENT OF THE UNLITIGATED CLAIM OF FLAIR DIVERSIFIED PROPERTIES, INC. IN THE SUM OF $50,000.00.

WHEREAS, Flair Diversified Properties, INC. has filed a claim against the City & County of San Francisco for Property Damages;

WHEREAS, the Department of Public Works of the City & County of San Francisco has recommended settlement of said claim by payment of $50,000.00;

WHEREAS, the City Attorney has approved the settlement, now therefore, be it

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $50,000.00 is hereby approved.

APPROVED AS TO FORM AND RECOMMENDED

LOUISE H. RENNE
City Attorney

KIMBERLY REILEY CLEMENT
Chief Trial Deputy

RECOMMENDED:

Department of Public Works

JOHN E. CRIBBS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

35 001 90 07 00
780007 1450 $50,000.00

JUL 26 1992

BOARD OF SUPERVISORS

CC

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
48-92-16

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 48-92-17 RESOLUTION NO. 672-92

RO #92020

(SETTLEMENT OF CLAIM)

APPROVING THE SETTLEMENT OF THE UNLITIGATED CLAIM OF MERRILL D. MECHAM IN THE SUM OF $10,000.00.

WHEREAS, Merrill D. Mecham has filed a claim against the City & County of San Francisco for Property Damages;

WHEREAS, the Department of Public Works of the City & County of San Francisco has recommended settlement of said claim by payment of $10,000.00;

WHEREAS, the City Attorney has approved the settlement, now therefore, be it

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $10,000.00 is hereby approved.

APPROVED AS TO FORM AND RECOMMENDED

LOUISE H. RENNE
City Attorney

KIMBERLY RILEY CLEMENT
Chief Trial Deputy

RECOMMENDED:

Department of Public Works

JOHN E. CRIBBS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

35 001 90 07 00
780007 1450 $10,000.00

EDWARD P. HARRINGTON
Controller

JUL 01 1992

BOARD OF SUPERVISORS

CC

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 48-92-17

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 48-92-18 RESOLUTION NO. 675-92

RO #92037

(SETTLEMENT OF CLAIM)

APPROVING THE SETTLEMENT OF THE UNLITIGATED CLAIM OF JOSE ALARCON IN THE SUM OF $15,000.00.

WHEREAS, Jose Alarcon has filed a claim against the City & County of San Francisco for Personal Injuries;

WHEREAS, the Department of Public Works of the City & County of San Francisco has recommended settlement of said claim by payment of $15,000.00;

WHEREAS, the City Attorney has approved the settlement, now therefore, be it

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $15,000.00 is hereby approved.

APPROVED AS TO FORM AND RECOMMENDED

LOUISE H. RENNE
City Attorney

KIMBERLY RETHY CLEMENT
Chief Trial Deputy

RECOMMENDED:

Department of Public Works

JOHN E. CRIBBS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 90
309674 1450 $15,000.00

JUL 15 1992

BOARD OF SUPERVISORS

CC

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 48-92-18

AUG 07 1992

Date Approved

Mayor

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FILE NO. File 92-92-26.1 RESOLUTION NO. 674-92

[Appointments]

APPOINTING MEMBERS TO THE PARK AND OPEN SPACE ADVISORY COMMITTEE.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Park and Open Space Advisory Committee, pursuant to the provisions of the San Francisco Administrative Code, Section 5.90, for the terms specified:

Jacob Sigg (Supervisor Shelley), vice himself, term expired July 15, 1992, for a two-year term ending July 15, 1994.

Teresa Ow-Wing (Supervisor Hsieh), vice herself, term expired July 15, 1992, for a two-year term ending July 15, 1994.

Ina F. Dearman (Supervisor Maher), vice herself, term expired July 15, 1992, for a two-year term ending July 15, 1994.

Lynn A. Altshuler (Supervisor Alioto), vice herself, term expired July 15, 1992, for a two-year term ending July 15, 1994.

Nan C. McGuire (Supervisor Hallinan), vice herself, term expired July 15, 1992, for a two-year term ending July 15, 1994.

ADMINISTRATION AND OVERSIGHT COMMITTEE

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 92-92-26.1

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. File 92-92-27.1 RESOLUTION NO. 675-92

[Appointments]

APPOINTING MEMBERS TO THE SAN FRANCISCO HAZARDOUS MATERIALS ADVISORY COMMITTEE; MAKING FINDINGS WAIVING RESIDENCY REQUIREMENTS.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the San Francisco Hazardous Materials Advisory Committee, pursuant to the provisions of the San Francisco Health Code, Article 21, Section 1105, for the terms specified:

Neil Gendel (environmental organization), vice himself, term expired July 1, 1992, for a four-year term ending July 1, 1996.

Daniel V. Phelan (industry representative), vice himself, term expired July 1, 1992, for a four-year term ending July 1, 1996.

Steven C. Medbery (Department of Public Works), vice Franklin Lew, term expired July 1, 1992, for a four-year term ending July 1, 1996.

FURTHER RESOLVED, That Proposition L, approved by the voters of San Francisco at the June 5, 1990 election, amends Section 8.100 of the City Charter to require that persons appointed to boards, commissions and advisory bodies estbalished by legislative act of the Board of Supervisors shall be residents of the City and County of San Francisco, and further provides that the Board of Supervisors may waive the residency requirement upon certain findings being made, and the applicant, Steven C. Medbery (Department of Public Works) named above is not a resident of the City and County of San Francisco; and be it

FURTHER RESOLVED, That the Board of Supervisors makes the following findings:

1. The membership of the Hazardous Materials Advisory Committee is required to include one representative from the Department of Public Works.

2. Applicant Steven C. Medbery, who is not a resident of San Francisco is Manager of the Bureau of Environmental Regulation and Management.

3. The Department of Public Works has made an attempt to fill the position for which Steven C. Medbery was nominated for with an individual who is a City resident and who has the necessary unique experience, skills and qualifications, but has been unable to do so. Mr. John E. Cribbs, Director of Public Works has certified that Steven C. Medbery is uniquely qualified to serve as the Department of Public Works' representative on the Hazardous Materials Advisory Committee and has the specific experience, skills and qualificaions to serve on the Hazardous Materials Advisory Committee.

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative of the Department of Public Works who is a resident of San Francisco and who has the experience, skills or qualifications possessed by this applicant, and who is willing to serve on the Hazardous Materials Advisory Committee. The Board of Supervisors, therefore, waives the residency requirement of Proposition L for Steven C. Medbery.

ADMINISTRATION AND OVERSIGHT COMMITTEE

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Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
92-92-27.1

AUG 07 1992

Date Approved

Mayor

FILE NO. 92-92-28.2 RESOLUTION NO. 676-92

[Appointments]
APPOINTING MEMBERS TO THE SAN FRANCISCO EMERGENCY MEDICAL CARE COMMITTEE.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the San Francisco Emergency Medical Care Committee, pursuant to the provisions of the San Francisco Administrative Code, Section 19A.15, and California Health and Safety Code, Section 1797.272, for the term specified:

Ginger Ayala (at-large provider), vice herself, term expired, for a three-year term ending June 30, 1995.

Thomas R. Fox (consumer), vice himself, term expired, for a three-year term ending June 30, 1995.

John Bitoff (Emergency Services), vice Gail Orr-Smith, term expired, for a three-year term ending June 30, 1995.

Marc A. Snyder, M.D. (Emergency Physicians Association), vice himself, for a three-year term ending June 30, 1995.

Bob Prentice (Department of Public Health), vice Myra Snyder, Ed.D., term expired, for a three-year term ending June 30, 1995.

Camille Huchton (consumer), vice herself, term expired, for a three-year term ending June 30, 1995.

Robert D. Bundy, M.D. (at-large provider), vice himself, term expired, for a three-year term ending June 30, 1995.

ADMINISTRATION AND OVERSIGHT COMMITTEE

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Maher Shelley

Absent: Supervisors Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 92-92-28.2

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 92-92-29.1 RESOLUTION NO. 677-92

[Appointments]
APPOINTING MEMBERS TO THE CITY-WIDE ALCOHOLISM ADVISORY BOARD.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members to the City-Wide Alcoholism Advisory Board, pursuant to the provisions of the California Health and Safety Code, Section 11805 for the terms specified:

Lucille Ramstetter, vice herself, term expired July 1, 1992, for the three-year term ending July 1, 1995.

Dumun Gracenin, Ph.D., vice himself, term expired July 1, 1992, for the three-year term ending July 1, 1995.

ADMINISTRATION AND OVERSIGHT COMMITTEE

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Maher Shelley

Absent: Supervisors Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 92-92-29.1

AUG 07 1992
Date Approved

Mayor

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FILE NO. 138-92-5 RESOLUTION NO. 678-92

[Grant - Federal Funds]
AUTHORIZING THE DISTRICT ATTORNEY FOR THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND GRANT FUNDS IN THE AMOUNT OF $87,443, WHICH INCLUDES INDIRECT COSTS OF $4,627 BASED ON 5 PERCENT OF PERSONNEL COSTS AND OPERATING EXPENSES, MADE AVAILABLE THROUGH THE CALIFORNIA OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "GANG VIOLENCE SUPPRESSION PROGRAM" FOR THE TWELVE-MONTH PERIOD OF JULY 1, 1992 THROUGH JUNE 30, 1993 AND AGREEING TO PROVIDE CASH MATCH IN THE AMOUNT OF $9,716.

RESOLVED, That the District Attorney on behalf of the City and County of San Francisco is authorized, retroactively, to submit a grant application for law enforcement purposes to be funded in part from funds made available through Chapter 1093, 1982 statutes, the Juvenile Justice and Delinquency Act of 1974, as amended, Public Law 98-473, and/or Justice Assistance Act of 1984 (JAA) for the California Gang Violence Suppression (GVS) Program, administered by the Office of Criminal Justice Planning; and, be it

FURTHER RESOLVED, That State funds received hereunder shall not be used to supplant local funds that would, in the absence of the Gang Violence Suppression Program, be made available to support the prosecution of felony cases; and, be it

FURTHER RESOLVED, That the District Attorney of the City and County of San Francisco is authorized, retroactively, to submit the attached Grant Award Application to the California Office of Criminal Justice Planning and is authorized to execute on behalf of the City and County of San Francisco the attached Grant Award for Gang Violence Prosecution purposes; and, be it

FURTHER RESOLVED, That the applicant agrees to provide matching funds in the amount of $9,716, required for said project under the Crime Control Act and the rules and regulations of OCJP and that funds will be appropriated as required thereby; and, be it

FURTHER RESOLVED, That indirect costs in the amount of $4,627 based on 5 percent of personnel costs and operating expenses to the City and County of San Francisco for the operation of this grant have been included in the grant budget; and, be it

FURTHER RESOLVED, That any liability arising out of the performance of this Grant Award contract, including civil court actions for damages, shall be the responsibility of the grantee and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That the District Attorney of the City and County of San Francisco is authorized to apply for, retroactively, accept and expend funds in the amount of $87,443, made available through the Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" for the twelve-month period of July 1, 1992 through June 30, 1993.

(SEE FILE FOR DEPARTMENTAL SIGNATURES)

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Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
138-92-5

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 143-92-3 RESOLUTION NO. 679-92

[Grant - State Funds]
AUTHORIZING THE CHIEF OF POLICE OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND GRANT FUNDS IN THE AMOUNT OF $121,271, WHICH INCLUDES INDIRECT COSTS OF $6,352 BASED ON 5 PERCENT OF PERSONNEL COSTS AND OPERATING EXPENSES, MADE AVAILABLE THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "GANG SUPPRESSION, APPREHENSION AND PREVENTION"; AND AGREEING TO PROVIDE CASH MATCH IN THE AMOUNT OF $12,127.

WHEREAS, The Chief of Police of the City and County of San Francisco desires to undertake a certain project designated "Gang Suppression, Apprehension and Prevention" to be funded in part from funds made available through the California Community Crime Resistance Program administered by the Office of Criminal Justice Planning (hereinafter referred to as OCJP); now, therefore, be it

RESOLVED, That the Chief of Police of the City and County of San Francisco is authorized, retroactively, on its behalf to submit the attached proposal to OCJP and is authorized to execute on behalf of the Board of Supervisors of the City and County of San Francisco the attached Grant Award Agreement; and, be it

FURTHER RESOLVED, That the applicant agrees to provide all matching funds required for said project under the program and the rules and regulations of OCJP and that cash will be appropriated as required thereby; and, be it

FURTHER RESOLVED, That it is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grantee and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and, be it

FURTHER RESOLVED, That indirect costs to the City and County of San Francisco for the operation of this grant have been included in this grant's budget in the amount of $6,352 or 5 percent of the total project cost; and, be it

FURTHER RESOLVED, That the Chief of Police of the City and County of San Francisco is authorized to apply for, retroactively, accept and expend funds in the amount of $121,271 made available through the Office of Criminal Justice Planning for a project entitled "Gang Suppression, Apprehension and Prevention".

(SEE FILE FOR DEPARTMENTAL SIGNATURES)

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Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
143-92-3

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 146-92-52 RESOLUTION NO. 680-92

CC

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO APPLY FOR A CONTINUATION GRANT OF $2,500,000, WHICH INCLUDES INDIRECT COSTS BASED ON 20% OF PERSONNEL COSTS, FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL, TO CONTINUE FUNDING THE AIDS SURVEILLANCE PROJECT.

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to apply for a continuation grant of $2,500,000, which includes indirect costs based on 20% of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Surveillance Project for the residents of San Francisco.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Public Health

Jean M. Mariani
MAYOR'S OFFICE

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-52

AUG 07 1992
Date Approved

Mayor

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PUBLIC LIBRARY

AS AMENDED IN COMMITTEE - 7/29/92

FILE NO. 147-92-2.1 RESOLUTION NO. 681-92

(Grant - Federal Funds)

AUTHORIZING THE CITY LIBRARIAN TO ACCEPT AND EXPEND FUNDS NOT TO EXCEED $696,579 AVAILABLE THROUGH THE CALIFORNIA STATE LIBRARY FROM TITLE II OF THE LIBRARY SERVICES AND CONSTRUCTION ACT FOR PUBLIC LIBRARY CONSTRUCTION, WHICH INCLUDES INDIRECT COSTS ~~OF~~ IN THE AMOUNT OF ~~$43,097 OR~~ $34,829, BASED ON FIVE PERCENT OF THE TOTAL GRANT AWARD AND A REQUIRED MATCH IN THE AMOUNT OF $696,579; PLACING $456,750 ON RESERVE.

GJ 7/29

GJ 7/29

WHEREAS, The California State Library has federal Library Services and Construction Act funds available to expand and improve public library facilities in areas where these facilities are inadequate, and

WHEREAS, Funding priorities will be for projects serving communities whose minority populations significantly exceed the state average, and

WHEREAS, The Mission Branch Library addition and remodeling project is eligible for this funding and is in need of expansion and efficiency renovations beyond the scope of work covered by The Library Improvement Bond of 1988, and

WHEREAS, This program requires at least 50% in non-federal matching funds which The San Francisco Public Library will provide with funds available the Library Improvement Bond of 1988; now therefore, be it

RESOLVED, That the City Librarian is authorized to accept and expend funds not to exceed $696,579 available from the California State Library from Title II of the Library Services and Construction Act for Public Library Construction ; and, be it

BOARD OF SUPERVISORS

GJ 7/29

FURTHER RESOLVED, That there are indirect costs ~~of 5% contained in the budget of this grant~~ in the amount of $34,829, based on of the total grant award, and a required local match in the amount of $696,579; and, be it

FRANK M. JORDAN
Mayor

EDWARD HARRINGTON
Controller

N/A
JOHN TAYLOR
Clerk of the Board of Supervisors

GJ 7/29

FURTHER RESOLVED, That funds in the amount of $456,750 for the construction contract and contingencies are hereby placed on reserve pending the Public Library's submission of contractor cost details and the MBE/WBE status of the contractors, to be released by the Finance Committee.

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
AUG 13 1992
SAN FRANCISCO
PUBLIC LIBRARY

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
147-92-2.1

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 152-92-1.1 RESOLUTION NO. 682-92

(Grant - State Funds)

AUTHORIZING THE SHERIFF'S DEPARTMENT OF THE CITY AND COUNTY OF SAN FRANCISCO TO ACCEPT AND EXPEND $166,622.00 IN FUNDS FROM THE STATE OF CALIFORNIA BOARD OF CORRECTIONS FOR THE STANDARDS AND TRAINING OF LOCAL CORRECTIONS PROGRAMS: STIPULATING ADHERENCE TO STANDARDS FOR RECRUITMENT AND TRAINING ESTABLISHED BY THE BOARD OF CORRECTIONS, WAIVING ANY INDIRECT COSTS.

WHEREAS, the Board of Corrections, State of California, may consent to review for possible funding from funds made available through Senate Bill 924 (Part 3, Title 7, Chapter 5, commencing with Section 6035 of the California Penal Code) the project submitted by the City and County of San Francisco and referred to as the "Standards & Training of Local Corrections Program," now therefore, be it

RESOLVED, that the Sheriff's Department is hereby authorized to accept and expend from the Board of Corrections $166,622.00 for criminal justice purposes; and, be it

FURTHER RESOLVED, that the funds received hereunder shall not be used to reimburse training expenditures reimbursed by the Peace Officers Standards and Training Program; and, be it

FURTHER RESOLVED, THAT THE City and County of San Francisco, while receiving aid under terms of the Standards and Training of Local Corrections Program will adhere to the standards and recruitment and training established by the Board of Corrections, provided, however, that the costs of such compliance are fully reimbursed or reimbursable by the State of California and no additional costs will be incurred by the City and County of San Francisco; and be it

FURTHER RESOLVED, that a copy of the budget approved by the Board of Supervisors is on file with the Clerk of the Board of Supervisors.

Jean M. Mariani
FRANK JORDAN, Mayor

John W. Madden
EDWARD HARRINGTON, Controller

CC

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
152-92-1.1

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 164-92-1 RESOLUTION NO. 683-92

[Vacation of subsurface street areas]

DECLARING INTENTION OF BOARD OF SUPERVISORS TO VACATE CERTAIN SUBSURFACE STREET AREAS IN THE YERBA BUENA CENTER REDEVELOPMENT PROJECT AREA, IN THAT PORTION BOUNDED BY MISSION, HOWARD, FOURTH AND THIRD STREETS, AND SETTING THE HEARING DATE FOR ALL PERSONS INTERESTED IN THE PROPOSED VACATION, AND RESCINDING PREVIOUS STREET VACATION RESOLUTION AND ORDINANCE IN ORDER TO CORRECT AN ERROR IN THE DESCRIPTION OF THE AREAS TO BE VACATED AND TO CLARIFY THE INTENTION OF THE BOARD OF SUPERVISORS THAT NO EASEMENTS FOR THE FACILITIES OF UTILITIES IN THE VACATED AREAS SHALL BE RESERVED.

WHEREAS, The Redevelopment Agency of the City and County of San Francisco ("Agency") is implementing the Redevelopment Plan ("Plan") for the Yerba Buena Center Redevelopment Project ("Project") pursuant to, and in accordance with, the Community Redevelopment Law of the State of California; and

WHEREAS, The voters of San Francisco did approve by Proposition "B" on November 8, 1986 the expansion of the Moscone Convention Center as a part of the Yerba Buena Project to be financed by revenue bonds issued by the Agency; and

WHEREAS, The approved design concept between the Agency and the City for the expansion includes the subsurface street area of Howard Street and portions of the subsurface street areas of Mission, Third and Fourth Streets; and

WHEREAS, All such said subsurface street areas lie within the Project site bounded by Mission, Howard, Fourth and Third Streets,

and are more particularly described as follows:

Subsurface street areas of portions of: Howard Street, between Third and Fourth Streets; Third Street, between Howard and Mission Streets; Mission Street, northwesterly of Third Street; and Fourth Street, at its intersection with Howard Street; and

WHEREAS, All the above described subsurface street areas proposed to be vacated are shown on the Department of Public Works Plan SUR-1190, comprised of four sheets, copies of which are on file in the office of the Clerk of the Board of Supervisors; and

WHEREAS, It appears that said portions of subsurface street areas are no longer necessary for present or prospective public street and other intended purposes; and

WHEREAS, On February 16, 1988, the Department of City Planning reported that the proposed vacations are in conformity with the Master Plan; and

WHEREAS, On March 21, 1988, the Board adopted Resolution 214-88 certifying that the Board has reviewed and considered the final environmental impact reports on the Yerba Buena Center Project Area, finding that the EIR's are adequate for purposes of review of the Moscone Convention Center Expansion Project, approving mitigation measures, determining to proceed with the Project based on implementation of the mitigation measures and overriding considerations, and finding that the Project is consistent with the eight priority policies of City Planning Code Section 101.1; and

WHEREAS, On February 16, 1988, the Board adopted Resolution 87-88 and on March 14, 1988, the Board adopted Ordinance 137-88

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vacating portions of the subsurface street areas referred to hereinabove based on Department of Public Works Plan SUR-488; now, therefore, be it

RESOLVED, That pursuant to the Public Streets, Highways and Service Easements Vacation Law, Section 8300 of the Streets and Highways Code, it is the intention of this Board of Supervisors to order the vacation of said portions of subsurface street areas where shown on said Department of Public Works Plan SUR-1190 in order to correct the description of the vacated areas in Department of Public Works Plan SUR-488 and to clarify the intention of the Board of Supervisors that no easements for the facilities of Pacific Bell and Pacific Gas and Electric shall be reserved in the vacated areas; and be it

FURTHER RESOLVED, That said vacation shall be done and made in the manner and in accordance with the provisions of the above referred to Public Streets, Highways and Service Easements Vacation Law; and notice is hereby given that on the 8th day of Sept., 1992, beginning at 3:00 P.M. in the Legislative Chamber of the Board of Supervisors, all persons interested in or objecting to the proposed vacation will be heard; and be it

FURTHER RESOLVED, That the public convenience and necessity require that Pacific Bell and Pacific Gas and Electric relocate their facilities in the vacated areas to other subsurface portions of the streets not vacated consistent with their rights and obligations under the franchises granted to them by the City, and

that no easements or rights shall be reserved to them in the vacated areas; and be it

FURTHER RESOLVED, That the Clerk of the Board is hereby directed to transmit to the Department of Public Works a certified copy of this resolution, and the Department of Public Works is hereby directed to give notice of such contemplated actions in the manner required by law.

RECOMMENDED:

Director of Public Works

Director of Property

APPROVED:

Chief Administrative Officer

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

Deputy City Attorney

DESCRIPTION APPROVED:

City Engineer 9-21-90

8742j/1-4

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Maher Shelley

Absent: Supervisors Kennedy Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
164-92-1

AUG 07 1992
Date Approved

Mayor

FILE NO. 164-92-2 RESOLUTION NO. 684-92

[Street Vacation]

DECLARING INTENTION OF BOARD OF SUPERVISORS TO VACATE A PORTION OF KEITH STREET LOCATED BETWEEN NEWCOMB AVENUE AND LA SALLE AVENUE AND SETTING THE HEARING FOR ALL PERSONS INTERESTED IN THE PROPOSED VACATION.

WHEREAS, A petition has been filed for the vacation of a portion of Keith Street located between Newcomb Avenue and La Salle Avenue, as shown on Department of Public Works Drawing No. SUR792, dated May 29, 1992, a copy of which is on file in the office of the Clerk of the Board of Supervisors; and

WHEREAS, It appears that said portion of Keith Street is unnecessary for present or prospective street purposes; and

WHEREAS, By letter dated May 26, 1992, the Department of City Planning reported that the proposed vacation is in conformity with the Redevelopment Plan, which in turn is in conformity with the Master Plan and, thus, said action is not subject to review under the Eight Priority Policies of Planning Code Section 101.1; now, therefore, be it

RESOLVED THAT:

1. Pursuant to Section 8320 of the Streets and Highways Code, it is the intention of this Board of Supervisors to order the vacation of said portion of Keith Street.

2. Said vacation shall be conducted under and in accordance with the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Streets and Highways Code Section 8300, et seq.) and notice is hereby given that on the 8th day of September, 1992, beginning at 3:00 p.m. in the legislative chambers of the Board of Supervisors, all persons interested in the proposed vacation will be heard.

3. Upon vacation, the City will convey its interest in said vacated street area to the Redevelopment Agency at no cost, pursuant to Section 6 of the Cooperative Agreement dated February 5, 1969.

4. The Clerk of the Board is hereby directed to publish notice of the hearing on the Resolution of Intention as required by law and to transmit to the Department of Public Works a certified copy of this Resolution, and the Director of Public Works is hereby directed to post Notices of Vacation as required by law.

RECOMMENDED:

Director of Public Works

Director of Property

Description Approved:

City Engineer

JP:bb/129
6/29/92

DOCUMENTS DEPT.
AUG 13 1992
SAN FRANCISCO
PUBLIC LIBRARY

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Maher Shelley

Absent: Supervisors Kennedy Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

File No.
164-92-2

AUG 07 1992
Date Approved

Mayor

FILE NO 174-92-3

Amendment of the Whole
as presented in committee
July 28, 1992.

RESOLUTION NO 685-92

[Advisory Task Force On Homelessness]

ESTABLISHING ADVISORY TASK FORCE ON HOMELESSNESS TO ADVISE THE BOARD OF SUPERVISORS ON ISSUES RELATING TO HOMELESSNESS.

WHEREAS, Homelessness has become a major problem in the City and County of San Francisco, touching the lives of virtually all of our citizens; and

WHEREAS, The needs of homeless people are often neglected; and

WHEREAS, Homeless people need a vehicle to express their views and advocate for policies and actions that will assist them in meeting their needs; and

WHEREAS, The intelligent study of homelessness and the rational development of responses to that problem will redound to the benefit of all future generations in the City and County of San Francisco; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco establishes an Advisory Task Force on Homelessness consisting of 19 members, who shall represent the following officials and groups: the Mayor of San Francisco or his or her designee, a member of the Board of Supervisors, the General Manager of the Department of Social Services or her or his designee, the Director of Public Health or his or her designee, and a designee from each of the following organizations: the Coalition on Homelessness, the Homeless Task Force, the Service Providers Coalition, the Homeless Veterans Action Committee, the Coalition for

Homeless Women and Children, the Income Rights Projects, the Family Service Providers Coalition, the Outreach Workers Coalition, Food Not Bombs, the Economic Rights Task Force of the National Lawyers Guild, the HIV Housing Task Force, the San Francisco Council on Homelessness, the Council of Community Housing Organizations, the DSS Shelter Advisory Committee, the Homeless Shelter and Housing Providers Association; and, be it

FURTHER RESOLVED, That this task force shall be responsible for serving as a resource to the Board of Supervisors reporting every three months to the Board on issues relating to homelessness, including, but not limited to:

1) Conditions in City funded programs;
2) Impacts of local, state, and federal budgets on homelessness;
3) Impacts of proposed local, state, and federal legislation on homelessness;
4) Civil rights of homeless people;
5) Recommended legislation or policy changes.

FURTHER RESOLVED, That the appointment of members to the Task Force shall be confirmed by the Board of Supervisors. and, be it

FURTHER RESOLVED, That the Advisory Task Force on Homelessness shall automatically expire on June 30, 1995.

DOCUMENTS DEPT.
AUG 13 1992
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PUBLIC LIBRARY

Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Maher Shelley

Absent: Supervisors Kennedy Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
174-92-3

AUG 0 7 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 186-92-2 RESOLUTION NO. 680-92

(Polk-McAllister City Office Building)

AUTHORIZING CHIEF ADMINISTRATIVE OFFICER TO NEGOTIATE FOR DEVELOPMENT OF NEW CITY OFFICE BUILDING, SUBJECT TO APPROVAL OF FINANCE COMMITTEE, AND TO ACCEPT AND EXPEND/DONATION OF FUNDS TO OFFSET CITY COSTS INCURRED THROUGH NEGOTIATIONS.

GJ 7/29

WHEREAS, The City currently leases some 300,000 square feet of office space in the Civic Center area; and

WHEREAS, The City owns three parcels of land on McAllister Street, west of Polk Street; and

WHEREAS, The City has an option to purchase the air rights over the Society of California Pioneers building; and

WHEREAS, It may be more economically viable for a private developer to develop an office building for the City; and

WHEREAS, A panel convened by the Chief Administrative Officer has identified 450 McAllister Associates as the most qualified developer with whom to enter into negotiations; and

WHEREAS, The City does not have funds which can be allocated to pay the costs to be incurred during any negotiations with 450 McAllister Associates; therefore, be it

RESOLVED, That the Board of Supervisors authorizes the Chief Administrative Officer to enter into exclusive negotiations with 450 McAllister Associates for the purpose of determining the extent to which 450 McAllister Associates can develop the Polk-McAllister site into an office building of not less than 180,000 usable square feet on terms more advantageous than those which the City could achieve should it develop the building itself; and, be it

GJ 7/29

FURTHER RESOLVED, That the Board of Supervisors authorizes the Chief Administrative Officer to accept and expend, subject to approval of Finance Committee, any funds donated by 450 McAllister Associates for the purpose of compensating City departments for costs incurred as a result of the negotiations.

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Adopted - Board of Supervisors, San Francisco August 3, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Shelley

Absent: Supervisors Kennedy Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 186-92-2

AUG 07 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 31-92-3 RESOLUTION NO. 687-92

RO #92040

(Employee Replacement)

APPROVING IMMEDIATE FILLING OF VACATED POSITION OF ONE (1) 140 CHIEF OF FIRE DEPARTMENT.

RESOLVED, That pursuant to the provisions of Section 10, Subsection 1, of the Annual Appropriation Ordinance, the immediate filling of the vacated position of one (1) 140 Chief of Department, Fire Department, $4,759 biweekly, requested by the appointing officer and recommended by the General Manager, Personnel, and the Mayor, be and it is hereby approved.

Request Position be filled July 21, 1992

Recommend Position be filled July 21, 1992

President Fire Commission

Mayor

General Manager, Personnel

Funds Available: FY 92-93
Dept. : 31 Div. 03 Sec. 00
Fund : 01-001
Index : 530055-0020
Amount: $61,339.28

Controller

JUL 16 1992

Fire Commission
BOARD OF SUPERVISORS

CC

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SEP 1 1992
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Adopted - Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Kennedy Maher Migden Shelley

Absent: Supervisors Achtenberg Hsieh

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 31-92-3

AUG 13 1992

Date Approved

Mayor

FILE NO. 31-92-4 RESOLUTION NO. 688-92

RO #92034

(Employee Replacement)

APPROVING IMMEDIATE FILLING OF VACATED POSITION OF ONE (1) 0150 DEPUTY CHIEF, FIRE SUPPRESSION, FIRE DEPARTMENT.

RESOLVED, That pursuant to the provisions of Section 10, Subsection 1, of the current Annual Appropriation Ordinance, the immediate filling of the vacated position of one (1) 0150 Deputy Chief, Fire Suppression, Fire Department, $4,004 biweekly, requested by the appointing officer and recommended by the General Manager, Personnel, and the Mayor, be and it is hereby approved.

Request Position be filled July 6, 1992

Recommended Position be filled July 6, 1992

Chief of Department

Mayor

General Manager, Personnel

Controller

JUL 16 1992

Funds Available: FY 92-93
Dept. : 31 Div. 03 Sec. 00
Fund : 01-001
Index : 530055-0020
Amount: $52,359.58

Fire Commission

BOARD OF SUPERVISORS

CC

DOCUMENTS DEPT.

SEP 1 1992

SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Kennedy Maher Migden Shelley

Absent: Supervisors Achtenberg Hsieh

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 31-92-4

AUG 13 1992

Date Approved

Mayor

FILE NO. 1-92-32 RESOLUTION NO. 689-92

LA

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Peter Ashe, member, Retirement Board,
August 16 - September 14;
Jeff Brown, Public Defender,
July 29 - August 27;
Cleo Donovan, member, Civil Service Commission,
July 29 - August 7;
Joseph Driscoll, member, Retirement Board,
August 1 - 8 and August 31 - September 19;
Susan Lowenberg, member, City Planning Commission,
July 28 - August 2;
Boyd G. Stephens, M.D., Chief Medical Examiner,
September 18 - 23 and November 23 - December 5;
Mrs. Melvin M. Swig, President, War Memorial Board of Trustees,
August 4 - 17, 1992.

DOCUMENTS DEPT
SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Maher Migden

Absent: Supervisors Achtenberg Conroy Hsieh Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Jean Lum
ACTING Clerk

File No.
1-92-32

AUG 13 1992
Date Approved

Frank M. Jordan
Mayor

197-92-3

FILE NO. _____ RESOLUTION NO. 690-92

[Cultural Affairs Task Force One-Month Extension]

GRANTING THE CULTURAL AFFAIRS TASK FORCE A ONE-MONTH EXTENSION TO FINALIZE THEIR REPORT TO THE BOARD OF SUPERVISORS NO LATER THAN SEPTEMBER 24, 1992

WHEREAS, Members of the Cultural Affairs Task Force have recently elected a "Supercommittee" to draft the final report with the recommendations to the Board of Supervisors; and,

WHEREAS, The mandate of the Cultural Affairs Task Force is due to expire on August 27, 1992; and,

WHEREAS, Members of the Supercommittee and the Cultural Affairs Task Force need an extra month to finalize their report with the recommendations to the Board of Supervisors; now, therefore, be it

RESOLVED, That the Board of Supervisors grant the Cultural Affairs Task Force a one-month extension to finalize their report to the Board no later than September 24, 1992.

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Supervisor Hallinan August 10, 1992

BOARD OF SUPERVISORS

OC

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Maher Migden

Absent: Supervisors Achtenberg Conroy Hsieh Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Jean Lum
ACTING Clerk

File No. 197-92-3

AUG 13 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 10-92-1 RESOLUTION NO. 691-92

GRANTING REVOCABLE PERMISSION TO 111 JONES STREET LIMITED PARTNERSHIP TO INSTALL A P.G. & E. TRANSFORMER VAULT UNDER THE SIDEWALK FRONTING 111 JONES STREET (BLOCK 344, LOT 2), AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

RESOLVED, That permission, revocable at the will of the Board of Supervisors and automatically terminating upon failure to continue in force the insurance protection hereafter referred to, is hereby granted to 111 Jones Street Limited Partnership to occupy a portion of the sidewalk area under Jones Street, north of Golden Gate Avenue for the purpose of installing and maintaining a P.G. & E. transformer vault as shown on the plan, a copy of which is on file in the office of the Clerk of the Board of Supervisors.

FURTHER RESOLVED, That the project intended by the encroachment is consistent with the eight priority policies of City Planning Code Section 101.1; in that:

1. The project will have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.
2. The project will provide 108 new affordable dwelling units which will be added to the City's housing stock and will preserve the neighborhood character.
3. The project will promote the enhancement of the supply of affordable housing within the City.

4. The project will assure adequate parking for Project residents and minimize negative effects on neighborhood parking. In addition, the project will not overburden City streets or impede MUNI transit service.
5. The project will not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.
6. The project will not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake.
7. The project will have no adverse effect on landmarks or historic buildings.
8. The project will have no adverse effect on parks and open space or their access to sunlight and vistas.

PROVIDED HOWEVER, That this permission shall not become effective until:

(a) There shall have been executed and acknowledged by the permittee; and by it delivered to the City's Controller, who shall have had recorded in the office of the County Recorder a street encroachment agreement, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 10-92-1 and which is hereby declared to be a part of this resolution as if set forth fully herein, and the copy of this resolution attached thereto as Exhibit A.

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SAN FRANCISCO

(b) There shall have been delivered to the Controller the policy of insurance provided for in said agreement and the Controller shall have had approved same as complying with the requirements of said agreement. The Controller may, at his option accept, in lieu of said insurance policy, the certificate of an insurance company certifying to the existence of such a policy.

FURTHER PROVIDED, That the permittee, in accordance with Government Code Section 4216.1, shall become a member of, participate in, and share in the costs of Underground Service Alert - Northern California (U.S.A.) regional notification center.

FURTHER PROVIDED, The permittee, at the permittee's sole expense, and as is necessary as a result of this permit, shall make arrangements: (1) to provide for the support and protection of facilities belonging to the public utility companies, the San Francisco Water Department, the San Francisco Fire Department and other City departments; (2) to remove or change the location of such facilities and provide access to such facilities for the purpose of constructing, reconstructing, maintaining, operating or repairing such facilities.

FURTHER PROVIDED, That the permittee shall procure the necessary permits from the Central Permit Bureau and/or Bureau of Subdivision, Surveys and Mapping, Department of Public Works, and pay the necessary permit fees and inspection fees before starting work.

FURTHER PROVIDED, That the Board of Supervisors reserves the right to exact a permit fee, or rental, for the use of said street areas for the purpose of performance of its governmental or proprietary activities, including the constructing, reconstructing, maintaining, operating, repairing, removing and use of public utilities located under, over or along said street area;

FURTHER PROVIDED, That no structure shall be erected or constructed on said street area except as specifically permitted herein;

FURTHER PROVIDED, That the permittee shall assume all costs and maintenance and repair of the encroachments and no cost or obligation of any kind shall accrue to the City and County of San Francisco by reason of this permission granted.

RECOMMENDED:

Vitaly B. Troyan
Deputy Director
Public Services

APPROVED:

John E. Cribbs
Director of Public Works

APPROVED:

Rudolf Nothenberg
Chief Administrative Officer

Adopted - Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hallinan Kennedy Maher Migden Shelley

Absent: Supervisors Achtenberg Britt Hsieh

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 10-92-1

AUG 18 1992
Date Approved

Mayor

FILE NO. 25-92-25 RESOLUTION NO. 692-92

(Prop J Contract)

CONCURRING WITH CONTROLLER'S CERTIFICATION THAT SERVICES OF THE COURT MANAGEMENT SYSTEM COORDINATOR CAN BE PRACTICALLY PERFORMED BY PRIVATE CONTRACTOR FOR LOWER COST THAN SIMILAR WORK SERVICES PERFORMED BY CITY AND COUNTY EMPLOYEES.

WHEREAS, The electorate of the City and County of San Francisco passed Proposition J in November 1976 adding Section 8.300-1 to the Charter allowing City Departments to contract with private companies for specific services which can be practically performed for a lower cost than similar work by City and County employees; and

WHEREAS, The Court Management System Policy Committee is composed of representatives of the Police Department, Sheriff's Department, Adult Probation Department, Superior Court, Municipal Court, District Attorney, Public Defender and County Clerk; and it is constituted to provide a sharing of computer services and costs for computer services at the Hall of Justice, including the common costs for the employment of a Coordinator of the Court Management System; and

WHEREAS, The current Contractor of the position of Coordinator of the Court Management System has submitted a proposal for a contract for services as Coordinator of the Court Management System, for fiscal year 1992-93 at lower cost than having such work performed by City and County employees; and

WHEREAS, The Controller has certified that said services can be performed at lower cost to the City and County through said proposed contract than by employees of the City and County; now, therefore be it

RESOLVED, That this Board of Supervisors hereby concurs with the Controller's certification.

DOCUMENTS DEPT
SEP 1 1992
SAN FRANCISCO

Municipal Court

CC

Adopted - Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley

Absent: Supervisors Achtenberg Hsieh

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Jean Leem
ACTING Clerk

File No.
25-92-25

AUG 18 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-30 RESOLUTION NO. 693-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF FRANKLIN STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Franklin Street, between Grove and McAllister Streets on Monday, September 7, 1992, 6:00 a.m. until 12 midnight; Friday, September 11, 1992, 6:00 a.m. until Saturday, September 12, 1992 at 12 midnight, for San Francisco Opera opening weekend celebration sponsored by San Francisco Opera Guild;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Franklin Street, (northbound, right side parking lane) between Grove and McAllister Streets on Monday, September 7, 1992, 6:00 a.m. until 12 midnight; Friday, September 11, 1992, 6:00 a.m. until Saturday, September 12, 1992 at 12 midnight, for San Francisco Opera opening weekend celebration sponsored by San Francisco Opera Guild;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Kennedy Maher Migden

Absent: Supervisors Achtenberg Conroy Hsieh Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Jean Lum
ACTING Clerk

File No. 42-92-30

AUG 18 1992
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE 8/5/92

FILE NO. 146-92-53 RESOLUTION NO. 694-92

(Grant - Private)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, CENTRAL ADMINISTRATION, TO APPLY FOR A GRANT OF UP TO $420,000, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF ~~$38,000,~~ $42,000, BASED ON 10% OF DIRECT COSTS, FROM THE ROBERT WOOD JOHNSON FOUNDATION, THE NORTHERN CALIFORNIA GRANTMAKERS, THE HENRY J. KAISER FAMILY FOUNDATION, PACIFIC GAS AND ELECTRIC CO., THE HEARST FOUNDATIONS, THE RICHARD AND RHODA GOLDMAN FUND, THE SAN FRANCISCO FOUNDATION, THE GANNETT COMMUNITIES FUND, THE PACIFIC TELESIS FOUNDATION, THE ERNST D. VAN LOBEN SELS/ELEANOR SLATE VAN LOBEN SELS CHARITABLE FOUNDATION, THE WELLS FARGO Corporate CONTRIBUTIONS PROGRAM, THE CRESCENT PORTER HALE FOUNDATION, THE CLOROX COMPANY FOUNDATION, THE WALTER AND ELISE HAAS FUND, THE McBEAN FAMILY FOUNDATION, THE MONTGOMERY STREET FOUNDATION, THE KORET FOUNDATION AND THE BERNARD OSHER FOUNDATION FOR FUNDING FOR THE HEALTH OF THE CITY PROPOSAL.

GJ 8/5

GJ 8/5

GJ 8/5

RESOLVED, that the Department of Public Health, Central Administration, is hereby authorized to apply for a grant of up to $420,000, which includes indirect costs in the amount of ~~$38,000,~~ $42,000, based on 10% of direct costs, from the Robert Wood Johnson Foundation, Northern California Grantmakers, The Henry J. Kaiser Family Foundation, the Pacific Gas and Electric Co, the Hearst Foundations, the Richard and Rhoda Goldman Fund, the San Francisco Foundation, the Gannett Communities Fund, the Pacific Telesis Foundation, the Ernst D. Van Loben Sels, Eleanor Slate Van Loben Sels Foundation, the Wells Fargo Corporate Contributions Program, the Crescent Porter Hale Foundation, the Clorox Company Foundation, the Walter and Elise Haas Fund, the McBean Family Foundation, the Montgomery Street Foundation, the Koret Foundation, and the Bernard Osher Foundation for funding for the Health of the City proposal for the residents of San Francisco.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Jean M. Mariani
MAYOR'S OFFICE

Public Health
BOARD OF SUPERVISORS

DOCUMENTS DEPT
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 10, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hallinan Kennedy Maher Migden Shelley

Absent: Supervisors Achtenberg Britt Hsieh

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 146-92-53

AUG 18 1992
Date Approved

Mayor

FILE NO. 4-92-17 RESOLUTION NO. 695-92

[The Ride For The Children]

SUPPORTING THE RIDE FOR THE CHILDREN 1992, AND RECOGNIZING CYCLISTS ENDING HUNGER FOR THEIR PARTICIPATION AND DEDICATION TO END HUNGER FOR AMERICA'S CHILDREN, AND URGING THE MAYOR TO DECLARE AUGUST 23RD AND 24TH, 1992, AS END HUNGER DAYS IN SAN FRANCISCO.

WHEREAS, On August 23rd, twenty-five cyclists will arive in San Francisco on a 3,300 mile bicycle journey across the continent; and

WHEREAS, The cyclists left Washington, D.C. on June 24th carrying the document, "A Promis To America's Children"; and

WHEREAS, The latest studies show that 1 in every 8 children under the age of 12, or 5.5 million children, suffer from chronic hunger in the United States and an additional 6 million children experience hunger periodically or "live at risk" in poverty; and

WHEREAS, The Ride For The Children 1992, is to generate public support and the necessary political will to end childhood hunger in the United States and to have the U.S. Government take the lead in ending hunger globally; and

WHEREAS, This 3,300 mile trek catalyzing action to end childhood hunger concludes in San Francisco on August 23rd; and

WHEREAS, San Francisco has an infant mortality rate of 6.7, compared to the national infant mortality rate of 9; and

SUPERVISOR ACHTENBERG, Kennedy, Shelley

BOARD OF SUPERVISORS

WHEREAS, The African-American infant mortality rate of 15.5 is 3 times the Infant Mortality Rate of white, Latino or Asian populations in San Francisco; and

WHEREAS, The commitment of the Promise to America's Children directly affects the people of San Francisco; now therefore, be it

RESOLVED, That the Board of Supervisors of the City of San Francisco hereby supports this event and recognizes Cyclists Ending Hunger for their participation and dedication to end hunger for America's children; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors urge the Mayor to declare August 23rd and 24th, 1992, as End Hunger Days in San Francisco.

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

SUPERVISOR ACHTENBERG

BOARD OF SUPERVISORS

oc

Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
4-92-17

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 146-92-4.2 RESOLUTION NO. 696-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, BUREAU OF EPIDEMIOLOGY AND DISEASE CONTROL, TUBERCULOSIS CONTROL DIVISION TO APPLY FOR RETROACTIVELY AND ACCEPT AND EXPEND A SUPPLEMENTAL TO A GRANT OF $ 268,923, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $ 21,761, BASED ON 20% OF SALARIES FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE TUBERCULOSIS CONTROL PROJECT: PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

RESOLVED, that the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of TB Control, is hereby authorized to apply for retroactively and accept and expend a supplemental to a grant of $ 268,923, which includes indirect costs in the amount of $ 21,761, based on 20% of salaries, from the Department of Health and Human Services, for the Tuberculosis Control Program to provide assistance in the reduction and control of tuberculosis to the residents of San Francisco; and, be it

FURTHER RESOLVED, that although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

RECOMMENDED:

Raymond J. Baxter, Ph. D.
Director of Health

APPROVED:

Sandy Orye Mori
Health Commission

Jean M. Mariani
MAYOR'S OFFICE

EDWARD HARRINGTON
CONTROLLER

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Gonzalez

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
146-92-4.2

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 252-92-2 RESOLUTION NO. 697-92

[San Francisco Giants]

URGING COUNTY BOARDS OF SUPERVISORS THROUGHOUT THE STATE TO PASS RESOLUTIONS IN SUPPORT OF KEEPING THE GIANTS IN CALIFORNIA.

WHEREAS, The San Francisco Giants have played baseball in San Francisco since 1958; and

WHEREAS, The Giants are an historically important franchise in the National League and in Major League Baseball; and

WHEREAS, The benefits of having a professional baseball team extend to areas outside of the city in which the team plays, by the development of team rivalries, increased tourism, and the advantages of having a strong and thriving group of professional teams in one state; and

WHEREAS, The Giants have a fan base stretching throughout California, giving pleasure and entertainment to many fans who follow the team by radio and television if not in person; and

WHEREAS, Major League Baseball will soon vote on whether to approve the sale of the San Francisco Giants to a group of Florida investors; and

WHEREAS, A public show of support from officials throughout the state, in addition to the support exhibited by fans of the Giants and Major League Baseball, will increase the chances of the Giants staying in San Francisco; now, therefore, be it

SUPERVISOR SHELLEY, Alioto, Achtenberg, Conroy, Hsieh August 17, 1992

RESOLVED, That the City and County of San Francisco urges county boards of supervisors throughout the state to pass resolutions in support of keeping the Giants in California; and, be it further

RESOLVED, That the City and County of San Francisco urges those counties who pass such resolutions to transmit copies of those resolutions to Major League Baseball's owners and to the Commissioner; and, be it further

RESOLVED, That the Board of Supervisors directs the Clerk of the Board to transmit a copy of this resolution to County Clerks throughout the state.

SUPERVISOR SHELLEY August 17, 1992

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

BOARD OF SUPERVISORS

Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
252-92-2

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE - 8/12/92

FILE NO. 132-92-6 RESOLUTION NO. 698-92

(Grant - Foundation Funds)

AUTHORIZING THE SAN FRANCISCO ART COMMISSION TO PERMIT INTERSECTION FOR THE ARTS TO CONTINUE TO ACT AS NON PROFIT FISCAL AGENT FOR THE SAN FRANCISCO ART COMMISSION GALLERY AND TO CONTINUE SPONSORSHIP OF THE GALLERY'S EXPLORATION: CITY SITE PROGRAM AND IN THAT CAPACITY TO APPLY FOR, RETROACTIVELY, ACCEPT, AND EXPEND A $7,500.00 GEORGE FREDERICK JEWETT FOUNDATION GRANT FOR CITY SITE PROGRAMMING; INDIRECT COSTS OF 10% FISCAL AGENT FEE IN THE AMOUNT OF $750.00 WILL BE PAID TO INTERSECTION FOR THE ARTS FROM THE GRANT.

GJ 8/12

WHEREAS, The San Francisco Art Commission Gallery's Exploration: City Site Program provides rare opportunities for Bay Area artists to present large-scale, site-generated installations in an undeveloped, highly visible lot adjacent to the Gallery, located in Civic Center; and

WHEREAS, The George Frederick Jewett Foundation granted $4,000.00 in 1989 in support of special programs sponsored by the Gallery; and

WHEREAS, The George Frederick Jewett Foundation does not make contributions directly to any government agency; and

WHEREAS, Intersection for the Arts agreed to serve as a non-profit fiscal agent for the San Francisco Art Commission Gallery's City Site Program in May, 1991; therefore, be it

RESOLVED, That the San Francisco Art Commission is authorized to permit Intersection for the Arts to apply for, retroactively, accept and expend 1992 grant funds of $7,500.00 from The George Frederick Jewett Foundation to support Exploration: City Site programming at The San Francisco Art Commission Gallery; and be it further

GJ 8/12

RESOLVED, That since The George Frederick Jewett Foundation does not make contributions directly to any government agency, the funds will be applied for, accepted, and expended by Intersection for the Arts, a non-profit agency acting as sponsor of the San Francisco Art Commission Gallery's City Site Program; Indirect costs of 10% fiscal agent fee in the amount of $750.00 will be paid to Intersection for the Arts from the grant.

By _____
Art Commission

Teresa Serata
Mayor's Office

John W Crowell
Controller's Office

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Hsieh Kennedy
Maher Migden Shelley

Absent: Supervisors Britt Gonzalez

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
132-92-6

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 25-92-28 RESOLUTION NO. 699-92

(CONTRACTING OUT CITY SERVICES)

CONCURRING WITH THE CONTROLLER'S CERTIFICATION THAT ASSISTANCE TO CERTAIN VICTIMS OF CRIME AND EDUCATION IN COMMUNITY ANTI-STREET VIOLENCE CAN BE PRACTICALLY PERFORMED FOR THE DISTRICT ATTORNEY'S VICTIM WITNESS ASSISTANCE PROGRAM BY A PRIVATE CONTRACT FOR A LOWER COST THAN SIMLIAR WORK SERVICES PERFORMED BY CITY AND COUNTY EMPLOYEES.

WHEREAS, The Community United Against Violence has established and will maintain networks of persons to safeguard neighborhoods, conduct workshops on personal safety, self-defense and property protection, and, under the direction of the Victim Witness Assistance Program, helps victims and witnesses to cooperate with the criminal justice system in prosecution of the guilty and alleviation of their own injuries; and

WHEREAS, The electorate of the City and County of San Francisco passed Proposition J in November 1976 adding Section 8.300-1 to the Charter allowing City Departments to contract with private companies for specific services which can be practically performed for a lower cost than similar work by City and County employees; and

WHEREAS, The Office of the District Attorney has sought and received estimates from private contractors and wishes to contract for these services, and the Controller has certified on July 21, 1992 that said services can be performed at a lower cost in the City and County by a private contractor than by employees of the City and County:

NOW THEREFORE BE IT

RESOLVED, That the Board of Supervisors hereby concurs with the Controller's Certification and approves and authorizes the Office of the District Attorney to contract for the services of the Community United Against Violence.

Supervisor Carole Migden

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

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Adopted on date of introduction
Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

File No.
25-92-28

AUG 26 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 1-92-33 RESOLUTION NO. 700-92

LA

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Harry Britt, member, Board of Supervisors,
August 23 - 25;
Rand Castile, Director, Asian Art Museum,
August 13 - 27 and September 14 - 22;
Thomas F. Murphy, Acting Chief of Police,
August 15 - 22;
Rudy Nothenberg, Chief Administrative Officer,
August 6 - 9 and August 30 - September 1;
Harry S. Parker, III, Director Fine Arts Museums,
September 4 - 9;
Boyd G. Stephens, M.D., Chief Medical Examiner,
September 18 - 23 and November 23 - December 5;
Roselyne C. Swig, member, Library Commission,
August 14 - 23;
Ray Telles, member, Film and Video Arts Commission,
July 31 - August 12;
James Yee, member, Film and Video Arts Commission,
July 30 - August 4, 1992.

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
1-92-33

AUG 21 1992
Date Approved

Mayor

FILE NO. 4-92-15 RESOLUTION NO. 701-92

[Beth Kivel Day]

URGING THE MAYOR TO PROCLAIM AUGUST 21, 1992 AS BETH KIVEL DAY IN SAN FRANCISCO.

WHEREAS, Beth Kivel has provided leadership by example to hundreds of lesbian/gay/bisexual/transgender young people in the San Francisco Bay Area; and

WHEREAS, Because of Beth's untiring effortts, the Lavender Youth Recreation and Information Center (LYRIC) program has evolved from a volunteer organization into a stable, thriving program in its own right; and

WHEREAS, Beth has worked diligently to provide young people with safe environments, recreational opportunities, and fun; and

WHEREAS, Beth's dedicated advocacy has created visibility for the needs and interests of young people in the adult lesbian, gay. bisexual and transgender community; and

WHEREAS, Beth Kivel has used her vision of a center for lesbian, gay, bisexual and transgender young people to transform San Francisco's mainstream political debate and make that vision a reality; and

WHEREAS, Beth Kivel is leaving the Bay Area after six years of generously contributing her energy and talents to the lesbian, gay, bisexual and transgender community; now, therefore, be it

RESOLVED, that the San Francisco Board of Supervisors urges the Mayor to proclaim August 21, 1992 as Beth Kivel Day in San Francisco, in honor of her dedication, commitment to excellence, and hard work for the people of San Francisco.

BOARD OF SUPERVISORS SUPERVISOR, ACHTENBERG, Migden, Gonzalez

oc

DOCUMENTS DEPT
SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
4-92-15

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-16 RESOLUTION NO. 702-92

[Gay Games 10th Anniversary]

URGING THE MAYOR TO PROCLAIM SEPTEMBER 4, 5, AND 6, 1992, AS GAY GAMES I TENTH ANNIVERSARY WEEKEND.

WHEREAS, Gay Games I was held in San Francisco from August 26 through September 5, 1982; and

WHEREAS, The Gay Games were dounded on the principle of inclusion, and to encourage all participants to strive for their personal best; and

WHEREAS, The Federation Of Gay Games continues to preserve the integrity of the Gay Games, and to promote them as an international event; and

WHEREAS, August 26 to September 5, 1992, marks the tenth anniversary of Gay Games I; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the Mayor to proclaim September 4, 5, and 6, 1992, as Gay Games I Tenth Anniversary Weekend.

SUPERVISOR, ACHTENBERG, Migden, Shelley, Hallinan, Alioto, Maher

BOARD OF SUPERVISORS

OC

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
4-92-16

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 6-92-15 RESOLUTION NO. 703-92

[Commending Julia I. Lopez]

COMMENDING AND HONORING JULIA I. LOPEZ FOR HER DEDICATION, COMMITMENT TO EXCELLENCE, AND HARD WORK IN SERVING THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO.

WHEREAS, Julia I. Lopez has served as General Manager of the San Francisco Department of Social Services since June 15, 1988; and

WHEREAS, Ms. Lopez has provided innovative leadership in the development and improvement of social service programs while steadily guiding the Department through difficult fiscal times; and

WHEREAS, Under her leadership the Department has improved the City's homeless program by investing in support services and advocating for permanent housing; and

WHEREAS, Ms. Lopez created work incentives for General Assistance clients by allowing an income disregard of their wages; and

WHEREAS, Ms. Lopez has advocated for the needs of relative caretakers of children in the foster care system in order to bring economic parity to those caretakers; and

WHEREAS, Ms. Lopez has established a model GAIN program for teen-age parents which serves not only the mother but focuses on the needs of teen-age fathers; and

SUPERVISOR ACHTENBERG, Migden, Hallinan, Kennedy, Shelley

BOARD OF SUPERVISORS

WHEREAS, Under Ms. Lopez's leadership the Department has reformed the Foster Care placement system so that more African-American children are placed in the City or with relatives; and

WHEREAS, Ms. Lopez has worked closely with the community and other public agencies to help establish several social services projects, including the Multi Service Centers for the Homeless, Project Homeward Bound for homeless families, and Jelani House for women in substance abuse rehabilitation; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors commends and honors Julia I. Lopez for her dedication, commitment to excellence, and hard work in serving the people of the City and County of San Francisco.

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO
PUBLIC LIBRARY

SUPERVISOR ACHTENBERG

BOARD OF SUPERVISORS

Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
6-92-15

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 12-92-29 RESOLUTION NO. 704-92

(SB 1141 BICYCLES -- SUPPORT)

SUPPORTING SENATE BILL 1141 (KILLEA), A MEASURE WHICH WOULD FULLY ESTABLISH BICYCLE USE AS AN INTEGRAL PART OF CALIFORNIA'S MULTIMODAL TRANSPORTATION SYSTEM.

WHEREAS, The Board of Supervisors of the City and County of San Francisco has declared that the bicycle is a viable and most desirable transportation option (Ordinance 365-90); and

WHEREAS, The increased use of bicycles as an alternative to automobiles can help to reduce traffic congestion and air pollution, conserve resources, and improve public health and fitness; and

WHEREAS, Bicycle programs throughout the State of California are desperately in need of funds and leadership to provide the improvements that are needed to develop better roadways, more secure bicycle parking facilities, and public education that will result in the bicycle becoming a truly viable transportation option; and

WHEREAS, SB 1141 would fully establish bicycle use as an integral part of California's multimodal transportation system; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby declare its support for SB 1141; and, be it

FURTHER RESOLVED, That a copy of this resolution be sent to Senator Lucy Killea, San Francisco's legislative advocate in Sacramento, and Governor Pete Wilson with the request that everything possible be done to assure the passage of this legislation.

SUPERVISOR BRITT, MIGDEN

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 12-92-29

AUG 21 1992
Date Approved

Mayor

FILE NO. 33-92-2 RESOLUTION NO. 705-92

(PORT COMMISSION -- APPOINTMENTS)

CONFIRMING THE MAYOR'S APPOINTMENTS OF FRANK J. O'NEILL AND MING CHANG TO THE SAN FRANCISCO PORT COMMISSION.

WHEREAS, Section 3.580 of the Charter authorizes the Mayor to appoint the five members of the Port Commission, their appointments being subject to the confirmation by the board of supervisors; now, therefore, be it

RESOLVED, Pursuant to Charter Section 3.580, the Board of Supervisors confirms the appointments to the Port Commission as follows:

Frank J. O'Neill, Vice James Bouskos (term expired), for the term ending May 1, 1996.

Ming Chang, vice Arthur Coleman (resigned), for the term ending May 1, 1994.

MAYOR
7/17/92

3311g

BOARD OF SUPERVISORS

MENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
33-92-2

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

As amended in Board 8/17/92

FILE NO. 33-92-3 RESOLUTION NO. 702-92

[Redevelopment Agency -- Appointments]

CONFIRMING THE MAYOR'S APPOINTMENTS OF BEN HOM, CYNTHIA CHOY ONG, AND CLARENCE R. STERN TO THE SAN FRANCISCO REDEVELOPMENT AGENCY COMMISSION.

RESOLVED, The Board of Supervisors hereby confirms the appointments to the San Francisco Redevelopment Agency Commission, as follows:

Ben Hom, vice Vivian Fei Tsen (resigned), for the term ending September 3, 1994.

Cynthia Choy Ong, vice Paul Wartelle (resigned), for the unexpired portion of the four-year term ending September 3, 1992, and the new four-year term ending September 3, 1996.

Clarence R. Stern, vice Haig Mardikian (term expired), for the term ending September 3, 1995.

8/17/92
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MAYOR
3315g

07/17/92

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
33-92-3

AUG 21 1992
Date Approved

Mayor

FILE NO. 38-92-21 RESOLUTION NO. 707-92

CC

(ACCEPTANCE OF GIFT)

ACCEPTING ONE GIFT VALUED AT $23,889.00, FOR USE BY THE RECREATION AND PARK DEPARTMENT.

RESOLVED, That this Board of Supervisors does hereby accept with expressions of public gratitude the following:

From the Northern California Grant Makers, $23,889.00, for use at various recreation centers, after-school, latch-key, day camp and teen programs for the Recreation and Park Department.

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO
PUBLIC LIBRARY

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 38-92-21

AUG 21 1992
Date Approved

Mayor

FILE NO. 89-92-11 RESOLUTION NO. 708-92

(State Disability Insurance)

AUTHORIZING ENROLLMENT OF CLASSIFICATION 1275 MANAGER, BUREAU OF PERSONNEL & TRAINING (PUC) IN THE STATE DISABILITY INSURANCE PROGRAM

WHEREAS, Unemployment Insurance Code Section 710.5 allows a public agency to elect to provide State Disability Insurance coverage to employees not a part of a bargaining unit; and

WHEREAS, the following classification is represented, but the Memorandum of Understanding does not provide for State Disability Insurance; and

1275 Manager, Bureau of Personnel & Training (PUC)

WHEREAS, A petition has been received by the Employee Relations Division from the sole incumbent in this classification requesting inclusion in the SDI program; and

WHEREAS, The City and County of San Francisco is desirous of permitting the employee in question to become enrolled in the SDI program at the employee's cost; now, therefore, be it

RESOLVED, That the Employee Relations Division is hereby directed to take the necessary actions to enroll the employee in question in the SDI program.

BOARD OF SUPERVISORS

CC

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 89-92-11

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 89-92-12 RESOLUTION NO. 709-92

(State Disability Insurance)

AUTHORIZING ENROLLMENT OF CLASSIFICATIONS 0583 ASSISTANT CLERK OF SUPERIOR COURT, 1126 PUBLIC ADMINISTRATOR, 1131 ASSISTANT PUBLIC ADMINISTRATOR, PUBLIC GUARDIAN AND 1807 MANAGEMENT INFORMATIONS SYSTEMS TECH. II IN THE STATE DISABILITY INSURANCE PROGRAM

WHEREAS, Unemployment Insurance Code Section 710.5 allows a public agency to elect to provide State Disability Insurance coverage to employees not a part of a bargaining unit; and

WHEREAS, the following classifications are unrepresented and, thus, not a part of a bargaining unit; and

0583 Assistant Clerk of Superior Court

1126 Public Administrator

1131 Assistant Public Administrator, Public Guardian

1807 Management Informations Systems Tech. II

WHEREAS, A petition has been received by the Employee Relations Division from the majority of employees in these classifications requesting inclusion in the SDI program; and

WHEREAS, The City and County of San Francisco is desirous of permitting the employees in question to become enrolled in the SDI program at the employees' cost; now, therefore, be it

RESOLVED, That the Employee Relations Division is hereby directed to take the necessary actions to enroll the employees in question in the SDI program.

BOARD OF SUPERVISORS

CC

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 89-92-12

AUG 21 1992
Date Approved

Arlene M. Jordan
Mayor

FILE NO. 89-92-13 RESOLUTION NO. 710-92

(State Disability Insurance)

AUTHORIZING ENROLLMENT OF CLASSIFICATION 9373 MANAGER OF MARKETING IN THE STATE DISABILITY INSURANCE PROGRAM

WHEREAS, Unemployment Insurance Code Section 2.5 allows a public agency to elect to provide State Disability Insurance coverage to employees not a part of a bargaining unit; and

WHEREAS, the following classification is represented, but the Memorandum of Understanding does not provide for State Disability Insurance; and

9373 Manager of Marketing

WHEREAS, A petition has been received by the Employee Relations Division from the sole incumbent in this classification requesting inclusion in the SDI program; and

WHEREAS, The City and County of San Francisco is desirous of permitting the employee in question to become enrolled in the SDI program at the employee's cost; now, therefore, be it

RESOLVED, That the Employee Relations Division is hereby directed to take the necessary actions to enroll the employee in question in the SDI program.

BOARD OF SUPERVISORS

CC

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 89-92-13

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 93-92-30 RESOLUTION NO. 711-92

[MOU]

RATIFYING MEMORANDUM OF UNDERSTANDING WITH PILE DRIVERS, DIVERS, CARPENTERS, BRIDGE, WHARF AND DOCK BUILDERS, LOCAL UNION NO. 34.

WHEREAS, The City and County of San Francisco pursuant to State law and provisions of the Employee Relations Ordinance of the City and County has met and conferred with Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; and

WHEREAS, Said meeting and conferring by the Mayor's Employee Relations Division has resulted in the reaching of agreement in July, 1992 on various issues of hours and other terms and conditions of employment governed by the Salary Standardization Ordinance; and

WHEREAS, In order for said Memorandum of Understanding to become legally enforceable and binding, it is necessary for the Board of Supervisors to ratify said Memorandum of Understanding; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby ratify the Memorandum of Understanding between the City and County and Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34, previously entered into by the Mayor's Employee Relations Division on behalf of the City and County of San Francisco, a copy of which is on file in the office of the Board of Supervisors.

Office of the Mayor
(Employee Relations Division)

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 93-92-30

AUG 21 1992
Date Approved

Mayor

FILE NO. 93-92-31 RESOLUTION NO. 712-92

RATIFYING AMENDMENT TO LETTER OF AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE INTERATIONAL UNION OF OPERATING ENGINEERS STATIONARY LOCAL 39

WHEREAS, The City and County of San Francisco pursuant to State law and provisions of the Employee Relations Ordinance of the City and County has met and confered with The International Union of Operating Engineers Stationary Local 39; and

WHEREAS, Said meeting and conferring by the Mayor's Employee Relations Division has resulted in the reaching of agreement in June, 1992 on various issues of hours and other terms and conditions of employment governed by the Salary Standardization Ordinance; and

WHEREAS, In order for said Agreement to become legally enforceable and binding, it is necessary for the Board of Supervisors to ratify said Agreement now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby ratify the Agreement between the City and County and The International Union of Operating Engineers Stationary Local 39, previously entered into by the Mayor's Employee Relations Division on behalf of the City and County of San Francisco, a copy of which is on file in the office of the Board of Supervisors.

Office of the Mayor
(Employee Relations Division)

BOARD OF SUPERVISORS

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
93-92-31

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 97-92-43.1 RESOLUTION NO. 713-92

RESOLUTION PROVIDING FOR THE DISBURSEMENT OF THE ADDITIONAL PENALTIES ASSESSED IN CRIMINAL CASES PURSUANT TO GOVERNMENT CODE SECTION 76000, ESTABLISHING A COURTHOUSE CONSTRUCTION FUND PURSUANT TO GOVERNMENT CODE SECTION 76100, ESTABLISHING AN AUTOMATED FINGERPRINT IDENTIFICATION FUND PURSUANT TO GOVERNMENT CODE SECTION 76102, CONTINUING AN EMERGENCY MEDICAL SERVICES FUND PURSUANT TO GOVERNMENT CODE SECTION 76104, AND IMPOSING AN ADDITIONAL PENALTY ON ALL PARKING OFFENSES TO SUPPORT THE COURTHOUSE CONSTRUCTION FUND PURSUANT TO GOVERNMENT CODE SECTION 76000.

WHEREAS, Government Code section 76000, subdivision (a) requires counties to levy an additional penalty of seven dollars ($7) for every ten dollars ($10) or fraction thereof, to be collected together with and in the same manner as the amounts established by section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code except parking offenses, and prior to any division pursuant to Penal Code section 1463; and,

WHEREAS, The City and County of San Francisco has levied this additional penalty and the Treasurer has set aside this penalty since August 1991, pursuant to Government Code section 76000, subdivision (a); and

WHEREAS, Government Code section 76000, subdivision (a) requires that the county treasurer deposit those amounts specified by the board of supervisors by resolution in one or more of the funds established pursuant to Chapter 12 of the Government Code, and

WHEREAS, Government Code section 76100 authorizes the board of supervisors to establish in the county treasury a Courthouse

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Construction Fund for the purpose of assisting counties in the acquisition, rehabilitation, construction, and financing of courtrooms, courtroom buildings, or buildings containing facilities necessary or incidental to the operation of the justice system; and,

WHEREAS, Government Code section 76102 authorizes the board of supervisors to establish in the county treasury an Automated Fingerprint Identification Fund, for the purpose of assisting the county in the establishment of adequate fingerprint facilities in the county; and

WHEREAS, Government Code section 76104 requires that the board of supervisors of any county that established an Emergency Medical Services Fund prior to June 1, 1991, continue that fund using penalty revenues pursuant to Government Code section 76000, and that the amount deposited in said fund be at and not exceed the amount deposited for the 1990-91 fiscal year, plus a percentage representing the increase in fines and forfeitures collected in comparison with the 1990-91 fiscal year, not to exceed ten percent per fiscal year; and

WHEREAS, Government Code section 76000, subdivision (b) authorizes the Board of Supervisors to impose an additional penalty of two dollars and fifty cents ($2.50), for every parking offense where a parking penalty, fine or forfeiture is imposed, to be included in the total penalty, fine or forfeiture imposed, provided that the Board of Supervisors establishes a Courthouse Construction Fund pursuant to section 76100 and adopts a resolution stating the

implementation of this subdivision is necessary for the purposes authorized; and

WHEREAS, The Judges of the Municipal Court for the City and County of San Francisco have agreed, pursuant to Government Code section 76000, subdivision (b), to increase the bail schedule amounts as appropriate to reflect this added penalty; and,

WHEREAS, Government Code section 76000, subdivision (b) requires that for each parking case collected in the courts of the county, prior to any division pursuant to Penal Code sections 1462.3 or 1463.009, the county treasurer deposit in the Courthouse Construction Fund two dollars and fifty cents ($2.50), and Government Code section 76000, subdivision (c) requires that the county treasurer transfer to the State Controller one dollar ($1) of every two dollars and fifty cents ($2.50) so deposited; and

WHEREAS, implementation of the above stated sections is necessary to the City and County of San Francisco for the establishment of adequate courtrooms, courtroom buildings and facilities necessary or incidental to the operation of the justice system, the establishment of adequate fingerprint facilities, and the continuation of funding for emergency medical services;

NOW, THEREFORE, the Board of Supervisors of the City and County of San Francisco finds, determines and resolves that the funds authorized by the above stated sections, and the additional penalty of two dollars and fifty cents ($2.50) provided in Government Code section 76000, subdivision (b), are necessary for

the authorized purposes; and be it

RESOLVED, That the Courts continue to levy an additional penalty of seven ($7) for every ten dollars ($10) or fraction thereof collected upon every fine, penalty, or forfeiture imposed and collected by the Courts for criminal offenses, including violations of the Vehicle Code except parking offenses, pursuant to Government Code section 76000, subdivision (a), and that these moneys be taken from fines and forfeitures prior to any division pursuant to Penal Code section 1463; and be it

GJ 8/12 FURTHER RESOLVED, That the Treasurer establish a Courthouse Construction Fund and deposit therein one cent ($.01) ~~dollar ($1.00)~~ for every ten dollars ($10.00) or fraction thereof which is or has been collected for every fine, penalty or forfeiture imposed and collected by the Courts for criminal offenses and violations of the Vehicle Code, except parking offenses, pursuant to Government Code section 76000, subdivision (a); and be it

FURTHER RESOLVED, That an additional penalty of two dollars and fifty cents ($2.50) shall be included in the total penalty, fine or forfeiture for every parking offense where a penalty, fine or forfeiture is imposed; and that the Judges of the Municipal Court increase the bail schedule amounts as appropriate to reflect this added penalty; and that for each parking case collected in the Courts, the Treasurer place in the Courthouse Construction Fund two dollars and fifty cents ($2.50); and then transfer one dollar ($1) of every two dollars and fifty cents ($2.50) so deposited to the

State Controller; and be it

FURTHER RESOLVED, That the Treasurer establish an Automated Fingerprint Identification Fund and deposit therein four dollars and ninety-nine cents ($4.99) ~~($4.00)~~ for every ten dollars ($10) or fraction thereof upon every fine, penalty or forfeiture imposed and collected by the Courts for criminal offenses and Vehicle Code violations, except parking offenses, pursuant to Government Code section 76000(a); and be it,

GJ 8/12

FURTHER RESOLVED, That the Treasurer deposit in the Emergency Medical Services Fund two dollars ($2.00) for every ten dollars ($10.00) or fraction thereof upon every fine, penalty or forfeiture imposed and collected by the Courts for criminal offenses and violations of the Vehicle Code, except parking offenses, pursuant to Government Code section 76000, subdivision (a), provided that the total amount deposited in that fund be at and not exceed the amount deposited for the 1990-91 fiscal year, plus a percentage representing the increase in fines and forfeitures collected in comparison to the 1990-91 fiscal year, not to exceed ten percent per fiscal year; and be it,

FURTHER RESOLVED, That the moneys deposited in the Courthouse Construction Fund, the Automated Fingerprint Identification Fund, and the Emergency Medical Services Fund, plus any interest earned thereon, be payable only for the purposes set forth in Government Code sections 76100, 76102 and 76104; and be it,

FURTHER RESOLVED, The Clerk of the Board of Supervisors transmit, on the next business day following the adoption of this

resolution, a copy of the resolution to the Clerk-Administrator of the Municipal Court and the Clerk of the Superior Court of the City and County of San Francisco.

Approved as to Form:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Hsieh Kennedy
Maher Migden Shelley

Absent: Supervisors Britt Gonzalez

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
97-92-43.1

AUG 21 1992
Date Approved

Mayor

FILE NO. 97-92-44.1 RESOLUTION NO. 714-92

RENAMING THE COURTHOUSE CONSTRUCTION FUND AND CONTINUING THE SURCHARGE ON FILING FEES IN CIVIL AND PROBATE ACTIONS IN THE SUPERIOR COURT AND IN CIVIL ACTIONS IN THE MUNICIPAL COURT AS PROVIDED IN GOVERNMENT CODE SECTION 76238 AND SECTION 10.117-35 OF THE SAN FRANCISCO ADMINISTRATIVE CODE, TO ASSIST IN THE ACQUISITION, REHABILITATION, CONSTRUCTION, AND FINANCING OF COURTROOMS OR OF A COURTROOM BUILDING OR BUILDINGS CONTAINING FACILITIES NECESSARY OR INCIDENTAL TO THE OPERATION OF THE JUSTICE SYSTEM IN THE CITY AND COUNTY OF SAN FRANCISCO.

WHEREAS, California Government Code section 76238 authorizes the addition of a surcharge to any filing fee in any civil action or probate action in the Superior Court or any civil action in the Municipal Court, not to exceed $50, for the purpose of assisting the City and County of San Francisco in the acquisition, rehabilitation, construction and financing of courtrooms or of a courtroom building or buildings containing facilities necessary or incidental to the operation of the justice system, and to be deposited in a Courthouse Construction Fund; and

WHEREAS, The Board of Supervisors has authorized by resolution the collection of a $50 surcharge on first filing fees in civil cases in the Superior Court, and a $10 surcharge on filing fees in civil cases in the Municipal Court, pursuant to former Government Code section 76381.5, and has enacted section 10.117-35 of the San Francisco Administrative Code, establishing the Courthouse Temporary Construction Fund; and

WHEREAS, Former Government Code section 76381.5 was repealed effective June 30, 1991, and was replaced by Government Code section 76238; and

WHEREAS, The Judges of the Municipal Court and Superior Court

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voted on June 18, 1992, to recommend to the Board of Supervisors to continue the surcharge on first filings in civil cases in the Municipal Court and in civil and probate actions in the Superior Court, to rename the San Francisco Courthouse Temporary Construction Fund the "Courthouse Construction Fund," and to continue to deposit such surcharge in this fund; and

WHEREAS, The provisions of Government Code section 76238 are necessary to the establishment of adequate courtroom facilities and buildings containing facilities necessary or incidental to the operation of the justice system; now, therefore, be it

RESOLVED, That the Clerk of the Superior Court continue to collect such $50 surcharge on first filings by both plaintiffs and defendants in civil and probate actions in the Superior Court and that the Clerk-Administrator continue to collect such $10 surcharge on civil filings in the Municipal Court; and be it

FURTHER RESOLVED, That the San Francisco Courthouse Temporary Construction Fund be renamed the San Francisco "Courthouse Construction Fund," and the moneys in said fund, collected to date and in the future, together with any interest earned thereon, be used only for the purposes set forth in Government Code section 76238; and be it

FURTHER RESOLVED, That such $50 surcharge be collected by the Clerk of the Superior Court and that such $10 surcharge be collected by the Clerk-Administrator of the Municipal Court at the time of filing and deposited in the San Francisco "Courthouse Construction

Fund," and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and County of San Francisco transmit, on the next business day following the adoption of this resolution, a copy of said resolution to the Clerk of the Superior Court and the Clerk-Administrator of the Municipal Court of the City and County of San Francisco.

Approved as to Form:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

BOARD OF SUPERVISORS
2738g/1
06/24/92

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Gonzalez

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-92-44.1

AUG 21 1992
Date Approved

_____
Mayor

AS AMENDED IN COMMITTEE - 8/12/92

FILE NO. 146-92-18.1 RESOLUTION NO. 715-92

(Grant - State)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, DIVISION OF MENTAL HEALTH AND SUBSTANCE ABUSE, TO ACCEPT AND EXPEND A GRANT OF $25,000, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $1,190, BASED ON 5% OF ~~THE TOTAL AWARD~~ direct costs of $23,810, FROM THE CALIFORNIA DEPARTMENT OF DEVELOPMENTAL SERVICES FOR MENTAL HEALTH TREATMENT FOR DUALLY DIAGNOSED ASIAN CHILDREN.

GJ 8/12

RESOLVED, that the Department of Public Health, Division of Mental Health and Substance Abuse, is hereby authorized to accept and expend a grant of $25,000, which includes indirect costs in the amount of $1,190, based on 5% of ~~total award~~ direct costs of $23,810, from the California Department of Developmental Services for mental health treatment for dually diagnosed Asian children in San Francisco.

GJ 8/12

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Sandy Ouye Moy
Health Commission

EDWARD HARRINGTON
CONTROLLER
By John Wilcox

Jean M. Mariani
MAYOR'S OFFICE

Public Health
BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Gonzalez

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-18.1

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE - 8/12/92

FILE NO. 146-92-33.1 RESOLUTION NO. 716-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH SERVICES, EPIDEMIOLOGY AND DISEASE CONTROL, SEXUALLY TRANSMITTED DISEASE CONTROL, TO APPLY FOR, RETROACTIVELY, ~~ACCEPT AND~~ EXPEND A GRANT OF $700,468 WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $7,798, BASED ON 20% OF PERSONNEL SALARIES, FROM THE CENTERS FOR DISEASE CONTROL FOR A RESEARCH STUDY TO EVALUATE HIV COUNSELING MODELS; RESCINDING RESOLUTION NO. 477-92.

GJ 8/12

GJ 8/12

RESOLVED, That the Department of Public Health, Community Public Health Services, is hereby authorized to apply for, retroactively, ~~accept and~~ expend a grant of $700,468 which includes indirect costs of $7,798 based on 20% of personnel salaries from Centers for Disease Control for a research study to evaluate HIV counseling models for the residents of San Francisco; and, be it

GJ 8/12

GJ 8/12

FURTHER RESOLVED, That Resolution No. 477-92, which authorized the Department of Public Health to apply for a grant in the amount of $650,705, is hereby rescinded.

RECOMMENDED;

Raymond J. Baxter, Ph.D.
Director of Public Health

APPROVED;

Health Commission

Jean M. Mariani
MAYOR'S OFFICE

EDWARD HARRINGTON
CONTROLLER
By

Public Health
BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisors Britt Gonzalez

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-33.1

AUG 21 1992
Date Approved

Mayor

FILE NO. 146-92-34.1 RESOLUTION NO. 717-92

CC

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH SERVICES, EPIDEMIOLOGY AND DISEASE CONTROL, STD CONTROL DIVISION, TO ACCEPT AND EXPEND A GRANT OF $378,916, WHICH INCLUDES INDIRECT COSTS OF $27,766 BASED ON 20% OF PERSONNEL SALARIES, FROM THE CENTERS FOR DISEASE CONTROL FOR THE PROVISION OF ALTERNATIVE STD SERVICES.

RESOLVED, That the Department of Public Health, Community Public Health Services, Department of Epidemiology and Disease Control, STD Control Division, is hereby authorized to accept and expend a grant of $378,916, which includes indirect costs of $27,766 based on 20% of personnel salaries, from Centers for Disease Control for the provision of alternative STD services to the residents of San Francisco.

RECOMMENDED;

Raymond J. Baxter, Ph.D.
Director of Public Health

APPROVED;

Health Commission

Jean M. Mariani
MAYOR'S OFFICE

EDWARD HARRINGTON
CONTROLLER
By

Public Health
BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-34.1

AUG 21 1992
Date Approved

Mayor

FILE NO. 146-92-55 RESOLUTION NO. 718-92

(Grant - State)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, LAGUNA HONDA HOSPITAL, TO ACCEPT AND EXPEND A HAZARD MITIGATION GRANT OF $215,000 AND A REQUIRED MATCH IN THE AMOUNT OF $215,000, WHICH IS 100% OF THE TOTAL AWARD, FROM THE CALIFORNIA STATE OFFICE OF EMERGENCY SERVICES IN BEHALF OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR CONSTRUCTION COSTS: WAIVING INDIRECT COSTS.

WHEREAS, As authorized and described in Resolution 168-90, approved by this Board of Supervisors on March 12, 1990, the Chief Administrative Officer submitted to the Governor's Authorized Representative the Hazard Mitigation Plan for the City and County of San Francisco, and,

WHEREAS, This plan was reviewed by the State Hazard Mitigation Officer and found to meet the intent of Section 409 of P. L. 93-268 which provides funds to mitigate against future hazards due to earthquake; and,

WHEREAS, The Chief Administrative Officer, Rudolf Nothenberg, or his alternate, Ann Branston, is authorized to execute for and on behalf of the City and County of San Francisco applications for hazard mitigation grants for any project, and has received authorization by Resolution 842-90, approved by this Board of Supervisors on October 17, 1990, to apply for hazard mitigation grant funds; and,

WHEREAS, The Federal Emergency Management Agency (FEMA) does not allow for indirect costs; now, therefore, be it

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RESOLVED, That the Department of Public Health, Laguna Honda Hospital is hereby authorized to accept and expend a grant of $215,000, and a required match in the amount of $215,000, which is 100% of the total award, from the California State Office of Emergency Services in behalf of Federal Emergency Management Agency (FEMA) to provide construction of an addition to an existing building to house a relocated existing emergency diesel generator serving the entire hospital; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Jean M. Mariani
MAYOR'S OFFICE

EDWARD HARRINGTON
CONTROLLER
By

Public Health
BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
146-92-55

AUG 21 1992
Date Approved

Mayor

AS AMENDED IN COMMITTEE - 8/12/92

FILE NO. 146-92-56

RESOLUTION NO. 719-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO ACCEPT AND EXPEND RETROACTIVELY, AN AUGMENTATION GRANT OF $66,547, WHICH INCLUDES $8,564 IN INDIRECT COSTS BASED ON 20% OF PERSONNEL COSTS, FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL, TO CONTINUE FUNDING THE AIDS SURVEILLANCE AND EXPANDED INITIATIVES PROJECT.

GJ 8/12

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to accept and expend retroactively, an augmentation grant of $66,547, which includes $8,564 in indirect costs based on 20% of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Surveillance and Expanded Initiatives Project for the residents of San Francisco.

GJ 8/12

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Public Health

Jean M. Mariani
MAYOR'S OFFICE

EDWARD HARRINGTON
CONTROLLER
By

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Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-56

AUG 21 1992
Date Approved

Mayor

FILE NO. 146-92-57 RESOLUTION NO. 720-92

CC

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO APPLY FOR A CONTINUATION GRANT OF $6,250,000, WHICH INCLUDES INDIRECT COSTS BASED ON 20% OF PERSONNEL COSTS, FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL, TO CONTINUE FUNDING THE AIDS PREVENTION PROJECT.

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to apply for a continuation grant of $6,250,000, which includes indirect costs based on 20% of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Prevention Project for the residents of San Francisco.

RECOMMENDED:

Raymond L. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Public Health

Jean M. Mariani
MAYOR'S OFFICE

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SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-57

AUG 21 1992
Date Approved

Mayor

FILE NO. 240-92-1 RESOLUTION NO. 721-92

[SFUSD -- Lead Health Hazards]

URGING THE SCHOOL BOARD AND THE SUPERINTENDENT OF THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT TO DISTRIBUTE INFORMATION ABOUT THE HEALTH HAZARDS FROM EXPOSURE TO LEAD AND ABOUT THE CHDP PROGRAM TO PARENTS OF STUDENTS; URGING THAT LEAD SCREENING BE INCLUDED AS PART OF THE HEALTH EXAMINATION REQUIRED WHEN FIRST ENTERING SCHOOL UP TO THE AGE OF 5; URGING THAT EDUCATIONAL SERVICES AVAILABLE FOR CHILDREN WITH LEARNING AND BEHAVIORAL PROBLEMS INCLUDE SERVICES FOR PROBLEMS BELIEVED TO BE CAUSED BY LEAD POISONING; URGING COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS REGARDING LEAD HAZARD REDUCTION; AND URGING THAT ALL STEPS NECESSARY TO REDUCE LEAD HAZARDS ON SCHOOL PROPERTY BE TAKEN AS SOON AS POSSIBLE.

WHEREAS, Childhood lead poisoning caused by exposure to lead is the number one environmental hazard facing children today; and

WHEREAS, Environmental exposure to even low levels of the lead, amounts no more than the equivalent of a few grains of sugar a day, increase children's risks of developing permanent learning disabilities, reduced concentration and attentiveness, and other behavior problems, loss of hearing, reduced growth, and lower intelligence quotients which may affect children's ability to learn; and

WHEREAS, Recent studies indicate that children with moderate levels of lead poisoning may be much more likely to suffer from learning disabilities and to drop out of school; and

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WHEREAS, Most of the City's children are not being screened and treated for lead poisoning in spite of the fact that over 80% of them may be eligible for free screening pursuant to the services provided by the Child Health and Disability Prevention program administered by the City; now, therefore, be it

RESOLVED, San Francisco Board of Supervisors urges the the School Board and the Superintendent of the San Francisco Unified School District to distribute educational information about the health hazards from exposure to lead, the sources of exposure, the CHDP program and interim methods for reducing exposures to lead to be distributed to parents of students up to the age of 8 in elementary schools and child care programs, and that such informational distribution occur on a regular, periodic basis; and, be it

FURTHER RESOLVED, The Board of Supervisors further urges that lead screening be included as part of the health examination required of all children up to the age of 6 when first entering any school program; and, be it

FURTHER RESOLVED, The Board of Supervisors further urges that educational services available for children with learning and behavioral problems include those believed to be caused by lead poisoning; and, be it

FURTHER RESOLVED, The Board of Supervisors further urges that the San Francisco Unified School District comply with all applicable

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federal, state, and local laws regarding lead hazard reductions; and, be it

FURTHER RESOLVED, The Board of Supervisors urges the San Francisco Unified School District to take all steps necessary to reduce lead hazards on school property as soon as possible.

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 290-92-1

AUG 21 1992
Date Approved

Mayor

FILE NO. 290-92-2 RESOLUTION NO. 722-92

[DSS, Rec. & Park, Library - Lead Hazards]

URGING THE MAYOR TO URGE THE COMMISSION AND DIRECTOR OF SOCIAL SERVICES, THE RECREATION AND PARK COMMISSION AND GENERAL MANAGER OF RECREATION AND PARKS, AND THE LIBRARY COMMISSION AND THE DIRECTOR OF THE PUBLIC LIBRARY TO MAKE EDUCATIONAL INFORMATION ABOUT THE HEALTH HAZARDS RESULTING FROM EXPOSURE TO LEAD AVAILABLE TO CHILDREN AND PARENTS INVOLVED IN PROGRAMS WHICH ARE SPONSORED BY THE DEPARTMENTS RESPECTIVELY.

WHEREAS, The Department of Public Health's recent survey of blood lead testing results of children indicates that 8 to 10 percent of children in San Francisco between the ages of nine months and six years may have lead poisoning; and

WHEREAS, There are approximately 40,000 to 45,000 children in San Francisco in that age group, and thousands more will enter that age group in the coming years; and

WHEREAS, Exposure to lead, even in small amounts, can increase childrens' risks of developing permanent learning disabilities, and a variety of physical and behavioral problems; and

WHEREAS, The debilitating effects of lead poisoning can be prevented and eliminated with concerted community action; and

WHEREAS, Childhood lead poisoning causes a substantial drain on public revenues, and reduces the ability of lead poisoned children to become productive members of the City's work force; and

/ / /

WHEREAS, The Department of Social Services, the Park and Recreation Department, and the Public Library all sponsor programs for children in the age group most at-risk of lead poisoning now, therefore, be it

RESOLVED, The Board of Supervisors urges the Mayor to urge the Commission and Director of Social Services, the Recreation and Park Commission and General Manager of Recreation and Park, and the Library Commission and Director of the Public Library to make educational information about the health hazards resulting from exposure to lead available to children and parents involved in programs which are sponsored by the departments respectively; and, be it

FURTHER RESOLVED, The Board of Supervisors directs the Clerk to transmit a copy of this resolution to commissions and officers cited herein.

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Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
290-92-2

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 290-92-3 RESOLUTION NO. 723-92

[Child Care - Lead Screening]

URGING THE MAYOR TO URGE PUBLIC AND PRIVATE CHILD CARE FACILITIES THROUGH THE MAYOR'S OFFICE OF CHILDREN, YOUTH AND THEIR FAMILIES TO REQUEST LEAD SCREENING OF CHILDREN OVER THE AGE OF 9 MONTHS AS A CONDITION OF ENROLLMENT IN THEIR RESPECTIVE CHILD CARE PROGRAM.

WHEREAS, The health of children in San Francisco between the ages of nine months and six years is particularly at risk because of the large amount of lead contamination in the City's environment; and

WHEREAS, A recent survey by the Department of Public Health revealed that 8 to 10 percent of the children tested in the City's Child Health and Disability Program between the ages of nine months and six years have lead poisoning and the Department of Public Health believes that the percentage of children poisoned could be higher in certain areas of the City; and

WHEREAS, The debilitative effects of childhood lead poisoning, which include permanent learning disabilities, behavioral and physical problems, and lowered intelligence quotients, can be prevented by concerted efforts to inform parents and children of the risks of lead; and

WHEREAS, Child care facilities care for children during their most at-risk years, and increased awareness by parents would serve to decrease lead poisoning by encouraging preventive efforts; now, therefore, be it

/ / /

RESOLVED, The Board of Supervisors urges the Mayor to urge public and private child care facilities through the Mayor's Office of Children, Youth and Their Families to request lead screening of children aged 9 months or older as a condition of enrollment in their respective child care program.

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Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
290-92-3

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

[Housing Authority, Redevelopment Agency - Lead Hazards]

URGING THE HOUSING AUTHORITY AND THE REDEVELOPMENT AGENCY TO TAKE ACTIONS TO ADDRESS THE HEALTH HAZARDS RESULTING FROM LEAD EXPOSURE, AND DIRECTING THE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DIRECTOR OF THE HOUSING AUTHORITY AND THE DIRECTOR OF THE REDEVELOPMENT AGENCY.

WHEREAS, Childhood lead poisoning caused by exposure to lead is the number one environmental health hazard facing children today; and

WHEREAS, The health of children in San Francisco between the ages of nine months and six years is particularly at risk because of the large amount of lead contamination in the City's environment; and

WHEREAS, The most significant sources of environmental lead are lead-based paint in housing, house dust and soil contaminated by lead; and

WHEREAS, San Francisco contains one of the highest concentrations of housing units painted with leaded paint of urban cities in the country; and

WHEREAS, Environmental exposure to even low levels of lead increases a child's risk of developing permanent learning disabilities, reduced concentration and attentiveness, reduced growth and lowered intelligence quotients; and

WHEREAS, Recent studies indicate that children with moderate levels of lead poisoning are much more likely to suffer from

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learning disabilities and to drop out of school; and

WHEREAS, A comprehensive plan of lead prevention is needed throughout the City in order to reduce the risk of lead poisoning in children; and

WHEREAS, All children who are residents of subsidized housing sites should be participating in the City's CHDP program, which includes testing for lead poisoning; now, therefore, be it

RESOLVED, The Board of Supervisors urges the Housing Authority and the Redevelopment Agency to take the following actions to address the health hazards resulting from lead exposure:

1) Comply with all federal, state, and local laws regarding lead hazard reductions.

2) Educate parents and all users of their properties about the hazards to health from exposure to lead, the sources of exposure, the CHDP program and interim methods for reducing exposures to lead.

3) Provide information about and access to the use of CHDP services for all children.

4) Take all steps necessary to reduce lead hazards as soon as possible and inform all residents of those steps before they are taken; and, be it

FURTHER RESOLVED, The Board of Supervisors directs the Clerk to transmit a copy of this resolution to the Director of the Housing Authority and the Director of the Redevelopment Agency.

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 290-92-6

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

File Copy Do Not Remove

FILE NO. 290-92-5 RESOLUTION NO. 225-92

[DPW, BBI -- Qualified Inspections]

URGING THE MAYOR TO URGE THE CHIEF ADMINISTRATIVE OFFICER AND THE DIRECTOR OF DEPARTMENT OF PUBLIC WORKS AND THE SUPERINTENDENT OF BUREAU OF BUILDING INSPECTION TO DEVELOP AND PUBLISH A LIST OF QUALIFIED LEAD INSPECTORS WHO TEST FOR THE PRESENCE OF LEAD WITH EFFECTIVE TESTING DEVICES, AND REQUESTING THE CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DIRECTOR AND SUPERINTENDENT.

WHEREAS, Lead poisoning of children is a serious and debilitating illness; and

WHEREAS, The most significant source of environmental lead are lead-based paint in housing, house dust and soil contaminated by lead; and

WHEREAS, Inspection of housing areas and non-housing areas for lead is critical so that preventive measures can be taken in areas where lead is present in hazardous quantities; and

WHEREAS, The public should be made aware of qualified lead inspectors that test for lead; now, therefore, be it

RESOLVED, The Board of Supervisors urges the Mayor to urge the Chief Administrative Officer and the Director of Public Works and the Superintendent of Bureau of Building Inspection to develop a list of qualified lead inspectors who test for the presence of lead with effective testing devices and publish such list as a public service for anyone interested in determining lead contamination; and, be it

FURTHER RESOLVED, The Board of Supervisors directs the Clerk to transmit a copy of this resolution to the Director and the Superintendent.

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SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
290-92-5

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 240-92-6 RESOLUTION NO. 226-92

[State Legislation - Child Care Licensing]

URGING MEMBERS OF SAN FRANCISCO'S STATE LEGISLATIVE DELEGATION TO INTRODUCE STATE LEGISLATION REQUIRING ENVIRONMENTAL LEAD TESTING AS A PREREQUISITE FOR STATE CHILD CARE LICENSING; DIRECTING THE CONVEYANCE OF THIS RESOLUTION TO THE STATE LEGISLATIVE DELEGATION AND THE CITY'S STATE LOBBYIST.

WHEREAS, The serious and debilitating effects of childhood lead poisoning have only recently become fully known; and

WHEREAS, Children are most at risk of lead poisoning from birth until the age of six, the period when they are most likely to be cared for in child care facilities; and

WHEREAS, Statewide regulations are needed concerning child care facilities, so that environmental testing of such facilities, including testing of water, dust, painted surfaces, soil and other appropriate materials, is conducted as apart of the licensing process; now, therefore, be it

RESOLVED, The Board of Supervisors urges Members of San Francisco's State Legislative Delegation to introduce state legislation that would require environmental lead testing of drinking water, dust, painted surfaces, soil and other appropriate materials situated in child care facilities for state licensing purposes; and, be it

FURTHER RESOLVED, The Board of Supervisors directs the Clerk of the Board of Supervisors to transmit a copy of this resolution to

San Francisco's State Legislative Delegation and the City's State Lobbyist.

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SEP 1 1992
SAN FRANCISCO

Adopted - Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
290-92-6

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 252-92-1 RESOLUTION NO. 737-92

[Keep The Giants]

URGING THE MAJOR LEAGUE OWNERS AND THE COMMISSIONER OF MAJOR LEAGUE BASEBALL TO USE THEIR POWERS TO KEEP THE SAN FRANCISCO GIANTS IN SAN FRANCISCO.

WHEREAS, The game of baseball is America's national past time; and

WHEREAS, Baseball plays a major role in the learning experience of youngsters and provides an important vehicle for members of our community from all cultures, nationalities, and ethnic groups to enjoy a common experience; and

WHEREAS, the Giants have been a part of the Bay Area's cultural landscape for more than thirty years, and

WHEREAS, Over that period of time, the Giants have become an essential component of the fabric or urban life in San Francisco; and

WHEREAS, There is a reciprocal relationship between the San Francisco Bay Area economy and the Giant's franchise; and

WHEREAS, Major League baseball cannot exist without the confidence and good will of the communities in which its franchises operate; and

WHEREAS, the privilege of operating a Major League baseball franchise includes the responsibility to the community in which a franchise is located; and

WHEREAS, San Francisco has expressed a serious interest in retaining the Giants and addressing the need for enhancement of

facilities for Major League baseball in San Francisco, and

WHEREAS, The City and County of San Francisco, through the Board of Supervisors and three mayors, has been committed to retaining the Giants and constructing a new ballpark; and

WHEREAS, The Board of Supervisors' Citizens Committee has recommended construction of a new ballpark at Seventh and Townsend Streets; and

WHEREAS, The loss of the Giants would deal an incalculable injury to both the spirit and economy of San Francisco and would deprive people of all ages of a unique cultural opportunity offered by Major League baseball; now, therefore, be it

RESOLVED, That the Board of Supervisors and the Mayor urge the Major League owners and the Commissioner of Major League Baseball to use their powers to keep the San Francisco Giants team and franchise in San Francisco; and be it

FURTHER RESOLVED, That the Board of Supervisors and the Mayor urge the residents of the Bay Area to contact the Commissioner of Major League Baseball and urge him to retain the Giants in San Francisco.

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SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
252-92-1

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-31 RESOLUTION NO. 728-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF GOLD STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Gold Street, between Sansome and Montgomery Streets on Tuesday, August 25, 1992, 6:00 a.m. until 6:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Gold Street, between Sansome and Montgomery Streets on Tuesday, August 25, 1992, 6:00 a.m. until 6:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 42-92-31

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-32 RESOLUTION NO. 729-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF JACK KEROVAC STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Jack Kerovac Street, between Columbus and Grant Avenues on Tuesday, August 25, 1992, 5:00 p.m. until 10:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Jack Kerovac Street, between Columbus and Grant Avenues on Tuesday, August 25, 1992, 5:00 p.m. until 10:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
42-92-32

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-33 RESOLUTION NO. 730-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF VARENNES STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Varennes Street, between Filbert and Union Streets on Monday, August 24, 1992, 7:00 a.m. until 7:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Varennes Street, between Filbert and Union Streets on Monday, August 24, 1992, 7:00 a.m. until 7:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

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Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
42-92-33

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-34 RESOLUTION NO. 731-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF TREAT AVENUE.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Treat Avenue, between Twentieth and Twenty-First Streets, on Saturday, August 29, 1992, 2:00 p.m. until 8:00 p.m. for Block Party/Barbeque;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Treat Avenue, between Twentieth and Twenty-First Streets, on Saturday, August 29, 1992, 2:00 p.m. until 8:00 p.m. for Block Party/Barbeque

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR GONZALEZ

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
42-92-34

AUG 21 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-35 RESOLUTION NO. 732-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF MARY STREET

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Mary Street, between Howard and Natoma Streets, on Saturday, August 22, 1992, from 9:00 a.m. until Sunday, August 23, 1992 8:00 p.m. for Blues Festival – Benefit for Abused Children sponsored by Hanno's "in the alley" – Harbor Rest. Inc.;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70–1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Mary Street, between Howard and Natoma Streets, on Saturday, August 22, 1992, from 9:00 a.m. until Sunday, August 23, 1992 8:00 p.m. for a Blues Festival – Benefit for Abused Children sponsored by Hanno's "in the alley" – Harbor Rest. Inc.;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
42-92-35

AUG 21 1992
Date Approved

Mayor

FILE NO. 78-92-2 RESOLUTION NO. 733-92

[Police Widow Health Benefits]

URGING THE MAYOR TO URGE THE HEALTH SERVICES SYSTEM TO EXTEND TO WIDOWS OF POLICE OFFICERS KILLED IN THE LINE OF DUTY THE SAME HEALTH COVERAGE AVAILABLE TO ACTIVE EMPLOYEES COVERED BY THE POA MOU.

WHEREAS, The Board of Supervisors recently approved the Police Officers Association Memorandum of Understanding for Fiscal Year 1992-1993 with the understanding that widows of police officers killed in the line of duty would be provided the same dental benefits offered by the City and County of San Francisco to active employees; and

WHEREAS, The police officers killed protecting the citizens of San Francisco were far from retirement age; and

WHEREAS, The widows of these men need and deserve the full health and dental coverage they would have received were their husbands still alive; and

WHEREAS, The Employee Relations Division of the Mayor's office has no objection to the extension of such benefits; now, therefore be it

RESOLVED, That the San Francisco Board of Supervisors supports the extension of full health and dental benefits to widows of police officers killed in the line of duty and urges his Honor, the Mayor, to urge the Health Services System to approve and extend said benefits.

Supervisor Annemarie Conroy, Maher, Alioto, Shelley, Hsieh, Hallinan, Kennedy, Gonzalez

oc

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Adopted on date of introduction
Board of Supervisors, San Francisco August 17, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy

Absent: Supervisors Achtenberg Alioto Maher Migden Shelley

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
78-92-2

8/21/92
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-19 RESOLUTION NO. 734-92

[Women's Equality Day]

URGING THE MAYOR TO DECLARE AUGUST 26, 1992 WOMEN'S EQUALITY DAY IN SAN FRANCISCO.

WHEREAS, Women of this country have not historically been entitled to the full rights and privileges, public or private, legal or institutional, which have been available to men; and

WHEREAS, Women have united to assure that these rights and privileges are available to all regardless of sex; and

WHEREAS, The full inclusion of women into all aspects of society, especially those traditionally closed to them, is not only fair and just but has made for a better society; and,

WHEREAS, On August 26, 1920, women in the United States were finally granted the right to vote with the passage of the 19th amendment; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the Mayor to declare August 26, 1992 Women's Equality Day in San Francisco.

SUPERVISOR SHELLEY August 17, 1992

oc

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Adopted on date of introduction
Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 4-92-19

AUG 26 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 1-92-34 RESOLUTION NO. 735-92

LA

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Carole Migden, member, Board of Supervisors,
August 30 - September 17;
Mary E. Burns, General Manager, Recreation and Park Department,
August 10 - 14;
Debra Chasnoff, member, Film and Video Arts Commission,
August 26 - September 9;
David Detrick, member, Police Commission,
August 12 - 16 and September 2 - 15;
Francisca P. Naify, member, War Memorial Board of Trustees
September 4 - October 10;
Harry S. Parker, III, Director Fine Arts Museums,
August 13 - 21;
L. A. Turpen, Director of Airports
September 4 - 16, 1992.

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Adopted on date of introduction
Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
1-92-34

AUG 26 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-18 RESOLUTION NO. 736-92

[The Chronicle's Little Man]

CONGRATULATING THE SAN FRANCISCO CHRONICLE'S LITTLE MAN ON THE OCCASION OF HIS 50TH ANNIVERSARY.

WHEREAS, The San Francisco Chronicle is relied upon by many in San Francisco and throughout California as a guide for regional culture and criticism; and

WHEREAS, The Chronicle's Little Man has been the symbol of the Chronicle's cultural reporting for five full decades; and

WHEREAS, The Chronicle's Little Man has become synonymous with a judicious, critical, and understandable approach to cultural review, contributing to the plethora of quality arts and entertainment in San Francisco and the Bay Area; and

WHEREAS, the Chronicle's Little Man celebrated his 50th Anniversary on August 23, 1992, having been introduced to readers for the first time on August 23, 1942 by artist Warren Goodrich; therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby congratulates the San Francisco Chronicle's Little Man on the Occasion of his 50th Anniversary; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit this resolution to Richard Tobin Thieriot, Editor and Publisher of the San Francisco Chronicle, 901 Mission Street, San Francisco, California, 94103-2988.

Supervisor Angela Alioto

OC

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SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
4-92-18

AUG 26 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-20 RESOLUTION NO. 737-92

[BASEBALL COMMISSIONER FAY VINCENT]

SUPPORTING THE COMMISSIONER IN ANY CHALLENGE TO HIS POSITION.

WHEREAS, Baseball Commissioner Fay Vincent has done an excellent job of leading Major League Baseball during his tenure as Commissioner; and

WHEREAS, Commissioner Vincent has extended every courtesy to the City of San Francisco in our efforts to retain the Giants, providing a fair process and open exchange of information; and

WHEREAS, Numerous press articles have reported a move by some baseball club owners to challenge the position of Commissioner Vincent and to replace him; now, therefore, be it

RESOLVED, That the Board of Supervisors declares support from the City and County of San Francisco for Commissioner Vincent in any challenge to his position; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit copies of this resolution to Commissioner Fay Vincent, 350 Park Avenue, New York, New York 10022.

Supervisor Angela Alioto

oc

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SEP 1 1992
SAN FRANCISCO

Adopted on date of introduction
Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
4-92-20

AUG 26 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-37 RESOLUTION NO. 738-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF BROADWAY STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Broadway Street on September 10, 1992, for a reception for the Consul General of Italy Marcell Griccioli; and

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Broadway Street, between Webster and Laguna Streets; on Thursday, September 10, 1992 from 5:00 p.m. until 9:00 p.m., for a reception for the Consul General of Italy Marcello Griccioli;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
42-92-37

AUG 26 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 138-92-6 RESOLUTION NO. 739-92

[Grant - State Funds]
AUTHORIZING THE DISTRICT ATTORNEY OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT, AND EXPEND FUNDS IN THE AMOUNT OF $230,850, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $11,543 BASED ON 5 PERCENT OF THE TOTAL GRANT, MADE AVAILABLE THROUGH THE STATE BOARD OF CONTROL, VICTIMS OF CRIME PROGRAM, AN AGENT OF THE STATE OF CALIFORNIA FOR A PROJECT ENTITLED "JOINT POWERS AGREEMENT WITH VICTIM WITNESS ASSISTANCE CENTER" FOR FISCAL YEAR 1992-93.

WHEREAS, The City and County of San Francisco desires to continue a certain project designated the Joint Powers Agreement between the Victim Witness Assistance Center and the State Board of Control Victims of Crime Program in accordance with Government Code Section 13835; and

WHEREAS, The State Board of Control will pay the County $230,850 for the designated Center Claims Specialists salaries and costs from the Restitution Fund; now, therefore, be it

RESOLVED, That in the event the State Board of Control consents to fund the project, the District Attorney of the City and County of San Francisco is authorized to execute said project that would not increase the matching fund obligations of the City and County of San Francisco pursuant to the contract; and, be it

FURTHER RESOLVED, That indirect costs of 5 percent of total grant equaling $11,543 are included in the grant's budget; and, be it

FURTHER RESOLVED, That State funds received hereunder shall not supplant local funds that would, in the absence of the California Victim Witness Assistance Center, be made available to support the assistance of victims of crime; and, be it

FURTHER RESOLVED, That the District Attorney of the City and County of San Francisco is authorized, on its behalf, to apply for, retroactively, accept, and expend funds made available through the State Board of Control for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center" in the amount of $230,850 for victim/witness assistance purposes for Fiscal Year 1992-93.

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(SEE FILE FOR DEPARTMENTAL SIGNATURES)

DISTRICT ATTORNEY

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
138-92-6

AUG 26 1992
Date Approved

Mayor

FILE NO. 138-92-7 RESOLUTION NO. 740-92

[Grant - State Funds]
AUTHORIZING THE DISTRICT ATTORNEY OF THE CITY AND COUNTY OF SAN FRANCISCO TO APPLY FOR, RETROACTIVELY, ACCEPT AND EXPEND FUNDS IN THE AMOUNT OF $279,506, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $13,975 BASED ON 5 PERCENT OF THE TOTAL GRANT, MADE AVAILABLE THROUGH THE OFFICE OF CRIMINAL JUSTICE PLANNING FOR A PROJECT ENTITLED "VICTIM WITNESS ASSISTANCE CENTER" FOR THE TWELVE-MONTH PERIOD OF JULY 1, 1992 THROUGH JUNE 30, 1993.

WHEREAS, The City and County of San Francisco desires to continue a certain project designating the Victim/Witness Assistance Center to be funded, in part, from funds made available through Chapter 713, 1979 statutes (California Victim/Witness Assistance Program) administered by the Office of Criminal Justice Planning; now, therefore, be it

RESOLVED, That the grant funds received hereunder shall not be used to supplant local funds that would, in the absence of the California Victim/Witness Assistance Program, be made available to support the assistance of victims and witnesses of crime; and, be it

FURTHER RESOLVED, That in the event the Office of Criminal Justice Planning consents to fund the project, the District Attorney of the City and County of San Francisco is authorized to execute said project that would not increase the matching fund obligations of the City and County of San Francisco pursuant to the contract; and, be it

FURTHER RESOLVED, That it is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grantee and the authorizing agency. The State of California and the Office of Criminal Justice Planning disclaim responsibility for any such liability; and, be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and, be it

FURTHER RESOLVED, That indirect costs of 5 percent of total grant equaling $13,975 are included in the grant's budget; and, be it

FURTHER RESOLVED, That the District Attorney of the City and County of San Francisco is authorized to apply for, retroactively, accept and expend funds made available through the Office of Criminal Justice Planning for a project entitled "Victim/Witness Assistance Center" in the amount of $279,506 for Victim/Witness Assistance purposes for the twelve-month period of July 1, 1992 through June 30, 1993.

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(SEE FILE FOR DEPARTMENTAL SIGNATURES)

DISTRICT ATTORNEY

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
138-92-7

AUG 26 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 285-92-1 RESOLUTION NO. 741-92

Amendment of the Whole
8/24/92

[Marijuana for Medicine]

URGING THE MAYOR TO URGE THE POLICE COMMISSION AND THE DISTRICT ATTORNEY TO MAKE LOWEST PRIORITY THE ARREST OR PROSECUTION OF THOSE INVOLVED IN THE POSSESSION OR CULTIVATION FOR PERSONAL USE OF MARIJUANA FOR MEDICINAL PURPOSES, AND FOR THE DISTRICT ATTORNEY TO ALLOW A LETTER FROM A TREATING PHYSICIAN TO BE USED AS PRIMA FACIA EVIDENCE THAT MARIJUANA CAN ALLEVIATE THE PAIN AND SUFFERING OF THAT PATIENT'S MEDICAL CONDITION, AND INSTRUCTING THE CITY'S REPRESENTATIVE IN SACRAMENTO TO LOBBY THE STATE LEGISLATURE AND THE CALIFORNIA MEDICAL ASSOCIATION FOR A STATE MEDICAL MARIJUANA BILL FOR THE 1992-1993 LEGISLATIVE SESSION.

WHEREAS, In November of 1991, the voters of San Francisco passed Proposition P by an overwhelming 80 percent of the vote; and

WHEREAS, Proposition P made it City policy to recommend that the State of California and the California Medical Association restore hemp medical preparations to the list of available medicines; and

WHEREAS, Proposition P defined "hemp medical preparations" as all products made from hemp, cannabis, or marijuana that are intended for the treatment of disease, the relief of pain, or for any other healing purpose; and

WHEREAS, "Medicinal purposes," for the purpose of this resolution, would include, but not be limited to the treatment of AIDS, glaucoma, cancer, multiple sclerosis, and other diseases which require chemotherapy, as well as other serious illnesses; and

WHEREAS, Federal agencies have refused to recognize marijuana's important role in medical therapy, continue to maintain legal prohibitions against marijuana's prescriptive medical use, and recently cancelled the nation's federal marijuana-as-medicine program; and

WHEREAS, These federal policies unnecessarily expose the people of San Francisco to suffering and unrelieved pain, and prevent physicians in San Francisco from exercising their professional judgment; and

WHEREAS, The Board of Supervisors has received extensive and unambiguous testimony in open hearings from highly respected San Francisco physicians, from nursing organizations and from others in the medical community who accept marijuana has a legitimate role to play in the medical treatment of persons afflicted with the above-mentioned ailments; and,

WHEREAS, The Board of Supervisors has received extensive and compelling testimony from many citizens afflicted with the above-mentioned ailments and other serious illnesses who, as patients, attest to marijuana's legitimate role in medical therapy; and,

WHEREAS, While opposing the recreational use of marijuana, the California Medical Association at its March, 1992 convention endorsed the belief that the therapeutic use of marijuana under the direction of a physician may be appropriate for certain conditions; now, therefore, be it

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8/24/92
ejp

RESOLVED, That the Board of Supervisors urges the Mayor to urge the Police Commission and the District Attorney of the City and County of San Francisco to make lowest priority the arrest or prosecution of those involved in the possession or cultivation of hemp for medicinal purposes; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to urge the District Attorney to allow a letter from a treating physician to be used as prima facia evidence that marijuana can alleviate the pain and suffering of that patient's medical condition; and, be it

FURTHER RESOLVED, That the representative of the City and County of San Francisco in Sacramento lobby the California legislature and the California Medical Association for a State Medical Marijuana Bill for the 1992-1993 legislative session.

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Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Britt Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
285-92-1

AUG 31 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-14 RESOLUTION NO. 742-92

[Brownie Mary Day]

DECLARING AUGUST 25, 1992 "BROWNIE MARY DAY" IN SAN FRANCISCO HONORING MARY RATHBUN FOR HER LONG AND COMPASSIONATE SERVICE AT SAN FRANCISCO GENERAL'S WARD 86.

WHEREAS, "Brownie Mary" Rathbun has dedicated her life to the compassionate care of hundreds of individuals suffering from a multitude of ailments; and

WHEREAS, Mary Rathbun has received the "Volunteer of the Year" award for the past three years at San Francisco General Hospital's Ward 86, where she has tirelessly served people with AIDS for the past nine years; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco declares August 25, 1992 "Brownie Mary Day" in San Francisco honoring Mary Rathbun fot her long and compassionate services at Ward 86.

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Supervisors Hallinan, Alioto

August 18, 1992

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Migden Shelley

Absent: Supervisors Britt Conroy Maher

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 4-92-14

AUG 31 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 27-92-6 RESOLUTION NO. 743-92

(Airport--Rates & Charges)

MAKING A FINDING THAT THE SCHEDULE OF RATES AND CHARGES FOR COMMON USE FACILITIES ESTABLISHED BY THE AIRPORTS COMMISSION EFFECTIVE JULY 1, 1992 WILL BE SUFFICIENT TO PAY FOR MAINTENANCE AND OPERATION EXPENSES OF THE AIRPORT AND WILL NOT REQUIRE ANY TAX SUBSIDY.

WHEREAS, The Airports Commission of the City and County of San Francisco has heretofore on July 21, 1992, by its Resolution No. 92-0211, approved a Schedule of Rates and Charges for Common Use Facilities at the San Francisco International airport to be effective July 1, 1992; and

WHEREAS, in accordance with Section 2.25, San Francisco Administrative Code, said Airports Commission has submitted to the Board, in support of said amendment of Schedule, all of the data upon which said rates and charges are based and a report of the anticipated effect of said amendment upon the budget of the Airports Commission for the current (1992-93) fiscal year; now, therefore, be it

RESOLVED, that this Board of Supervisors, pursuant to the provisions of Sections 2.25 and 2.28, San Francisco Administrative Code, and prior to voting upon the approval or disapproval of the amendment of the Schedule of Rates and Charges proposed by said Airports Commission, upon the data hereinabove referred to, hereby finds:

That the revenue from rates and charges of the San Francisco International Airport and the sum of $6,500,000 in Airport previously accumulated surplus as approved by the Airports Commission Resolution No. 92-0211 will be sufficient to pay for the current fiscal year, all expenses of every kind and nature incident to the operation and maintenance of the San Francisco International Airport, together with the interest and sinking fund charges for any bonds issued for the acquisition, construction or extension of the San Francisco International Airport.

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Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-92-6

AUG 31 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 27-92-6.1 RESOLUTION NO. 744-92

(Airport--Rates & Charges)
APPROVING CHANGES TO THE SCHEDULE OF RATES AND CHARGES FOR COMMON USE FACILITIES AT SAN FRANCISCO INTERNATIONAL AIRPORT AS ESTABLISHED BY AIRPORTS COMMISSION

WHEREAS, the Airports Commission by Resolution No. 92-0211 adopted July 21, 1992, established a new schedule of airline landing fees and terminal rentals, effective July 1, 1992 as follows:

Landing Fee Schedule as of July 1, 1992

A rate of Seventy-seven Point Five Cents (77.5¢) per thousand pounds of approved maximum landing weight for each revenue landing of a carrier operating under an agreement for landing at the Airport, unless a minimum landing fee shall apply;

A minimum landing fee of Twenty-eight Dollars ($28.00) for all revenue landings by fixed-wing aircraft with a maximum landing weight of less than 36,129 pounds operated by a carrier operating under an agreement for landing at the Airport;

A minimum landing fee of Nine Dollars ($9.00) for all revenue landings by rotary-wing aircraft with a maximum landing weight less than 11,613 pounds operated by a carrier operating under an agreement for landing at the Airport;

Terminal Space Rental Schedule as of July 1, 1992

An average base rate of $27.03 per square foot with the resultant rate for each category of space as follows:

Rate Structure	Relative Value	Total Rate Per Sq. Ft.
Category I	1.00	$44.35
Category II	0.75	33.26
Category III	0.50	22.18
Category IV	0.25	11.09
Category V	0.10	4.44

A secondary rental surcharge be established for carriers using the Federal Inspection Service Area. The total annual secondary surcharge shall be $62,052, representing the annual Airport debt service on the shared International Terminal baggage facility. Airlines using the Federal Inspection Service Area shall pay the monthly rental based on the proportion which the number of each airline's passengers using this area in the billing month bears to the total number of passengers using this area;

A fee be established for carriers using the International Terminal in-transit lounge. The fee shall be $1.58 per passenger using the in-transit lounge. The fee will provide cost recovery for airline use of the in-transit lounge, cleaning of airline use areas, and furniture purchased for airline use;

A rental fee be established for carriers using Gates 33, 34, and 35. The fee shall be $35.00 per aircraft operation. The fee will provide cost recovery for airline use of Airport-owned jet bridges at Gates 33, 34, and 35; and

WHEREAS, the Airports Commission by Resolution No. 92-0211 adopted July 21, 1992, also established a supplement to the schedule of airline landing fees effective November 1, 1992 as follows:

Supplemental Landing Fee Schedule as of November 1, 1992

A rate of Eighty-six Cents (86.0¢) per thousand pounds of approved maximum landing weight (1) for each revenue landing by a commercial carrier which does not have an operating agreement at SFIA, and (2) for each landing of general aviation fixed-wing aircraft, and (3) for each landing of general aviation rotary-wing aircraft, unless a minimum landing fee shall apply;

A minimum landing fee of Twenty-eight Dollars ($28.00) for all revenue landings by fixed-wing aircraft with a maximum landing weight less than 32,558 pounds operated by a carrier which does not have an operating agreement for landing at the Airport;

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A minimum landing fee of Nine Dollars ($9.00) for all revenue landings by rotary-wing aircraft with a maximum landing weight less than 10,465 pounds operated by a carrier which does not have an operating agreement for landing at the Airport;

A minimum landing fee of Twenty-eight Dollars ($28.00) for all general aviation fixed-wing aircraft with a maximum landing weight less than 32,558 pounds;

A minimum landing fee of Nine Dollars ($9.00) for all general aviation rotary-wing aircraft with a maximum landing weight less than 10,465 pounds;
Now, therefore, be it

RESOLVED, that the Board of Supervisors of the City and County of San Francisco does hereby approve the aforementioned schedule of rates and charges for common use facilities at San Francisco International Airport, as submitted in Airports Commission Resolution No. 92-0211 adopted July 21, 1992, a copy of which is on file in Board of Supervisor's File number 27-92-6.1.

Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
27-92-6.1

AUG 31 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 38-92-22 RESOLUTION NO. 745-92

[Gift Acceptance]

AUTHORIZING THE CITY AND COUNTY OF SAN FRANCISCO TO ACCEPT GIFT OR ADVANCE FUNDS IN THE AMOUNT OF UP TO $170,000.00 FROM CATELLUS DEVELOPMENT CORPORATION TO COVER CERTAIN COSTS AND EXPENSES RELATED TO THE FORMATION OF ONE OR MORE COMMUNITY FACILITIES DISTRICTS UNDER THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 IN THE MISSION BAY PROJECT AREA; PLACING $100,000 ON RESERVE.

GJ 8/19

WHEREAS, Catellus Development Corporation and the City and County of San Francisco have entered into a development agreement which provides for a comprehensive master planned development of the Mission Bay area; and

WHEREAS, In order to provide, to the extent lawful and as agreed to by Catellus Development Corporation and the City and County of San Francisco, back-up financing for basic infrastructure and project-serving infrastructure for the Mission Bay project, financing for certain public facilities and public improvements Catellus Development Corporation is required to build under the development agreement and toxic clean-up costs for the Mission Bay project, Catellus Development Corporation has agreed to the formation of one or more Community Facilities Districts under the Mello-Roos Community Facilities Act of 1982 in the Mission Bay project area; and

WHEREAS, The City and County of San Francisco has no funds available to pay certain costs and expenses that would be incurred by the City and County of San Francisco in connection with the

formation of one or more Community Facilities Districts in the Mission Bay project area and any financings related thereto; and

WHEREAS, Catellus Development Corporation has agreed to enter into an agreement with the City and County of San Francisco (the "Gift and Advanced Funding Agreement"), substantially in the form of the draft which is on file with the Clerk of the Board of Supervisors, File No. 38-92-22, pursuant to which Catellus Development Corporation agrees to provide gift or advance funding to the City and County of San Francisco to pay certain costs and expenses to be incurred by the City and County of San Francisco in connection with the planning, formation and implementation of the above described Community Facilities Districts; and

WHEREAS, It is anticipated that among the services required for these purposes are financial advisory, tax consultant and legal services; and

WHEREAS, Acceptance of gift funds exceeding a value of Five Thousand Dollars ($5,000) must be authorized by the Board of Supervisors by resolution; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby authorize the Controller to accept from Catellus Development Corporation and expend, on behalf of the City and County of San Francisco and in accordance with the Gift and Advanced Funding Agreement as executed by the City and County of San Francisco and Catellus Development Corporation, gift or advance funds in the amount of up to One Hundred and Seventy Thousand

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Dollars ($170,000.00); and be it

FURTHER RESOLVED, That any consultant or firm hired by the City and County of San Francisco with any portion of such gift or advance funds for the purpose of providing financial advisory, tax consultant or legal services shall be selected solely by, shall work under the direction of, and may be discharged by the City and County of San Francisco; and, be it

FURTHER RESOLVED, That any personnel to be hired by the City and County of San Francisco as a result of acceptance of these gift or advance funds shall be selected soley by and shall work under the direction of, and may be discharged by the City and County of San Francisco; and, be it

GJ 8/17

FURTHER RESOLVED, That gift or advance funds in the amount of $100,000 are hereby placed on reserve pending the formation of one or more Community Facilities Districts in the Mission Bay project area, to be released by the Finance Committee.

4597w

Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 38-92-22

AUG 31 1992
Date Approved

Frank M. Jordan
Mayor

As amended in Board 8/24/92

FILE NO. 53-92-3.1 **ORIGINAL** RESOLUTION NO. 746-92

(Islais Creek Transport Storage and Project Modifications)

APPROVING CONSTRUCTION OF THE DEPARTMENT OF PUBLIC WORKS FOR THE CONSTRUCTION OF THE ISLAIS CREEK TRANSPORT AND STORAGE PROJECT MODIFICATIONS; AND FINDING THAT THE PROJECT IS IN CONFORMITY WITH THE MASTER PLAN AND CONSISTENT WITH THE PRIORITIES OF PLANNING CODE SECTION 101.1

8/24/92 ejp

WHEREAS, The Board of Supervisors on May 22, 1989 adopted a negative declaration and approved a facility plan setting forth the basic guidelines for the design and construction of wastewater transport facilities in the southeastern portion of San Francisco near the Islais Creek Channel; and

WHEREAS, The design of the wastewater transport facilities was modified to meet the requirements of the Federal Water Pollution Control Act, the California Porter-Cologne Water Quality Act, and cease and desist orders issued by the Regional Water Quality Control Board; and

WHEREAS, Construction of these water pollution facilities will reduce the frequency of combined sewage overflows into Islais Creek and into the San Francisco Bay from approximately 46 overflows a year to an average of 10 overflows a year; and

WHEREAS, Construction of these water pollution control facilities is the next stage of completing a sewage system that will enable San Francisco to control sewage discharges into the San Francisco Bay; and

WHEREAS, The Department of City Planning on March 20, 1992 issued a preliminary negative declaration 91.136E for the Islais Creek Transport and Storage Project Modifications; and

WHEREAS, The Department of City Planning, after review, consideration and evaluation of public comments, certified on May 27, 1992 that the final negative declaration was adequate, accurate and objective, and had been completed in accordance with the California Environmental Quality Act and state CEQA guidelines; and

WHEREAS, The Department of City Planning has further found that, through the incorporation of mitigation measures included in the project, the project as described in the negative declaration will not have a significant effect on the environment; and

WHEREAS, On June 18, 1992, the Department of City Planning determined that the siting of the Islais Creek Transport and Storage Project Modifications is in conformity with the San Francisco Master Plan and is consistent with the priorities set forth in the San Francisco Planning Code Section 101.1; and

WHEREAS, This Board of Supervisors by Resolution No. 747-92 approved, adopted, and incorporated the final negative declaration and its findings and found and determined that the Islais Creek Transport and Storage Project Modifications will have no significant impact on the environment; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby approves the design and construction of the Islais Creek Transport and Storage Project Modifications.

8/24/92 ejp

FURTHER RESOLVED, That the Board further determines that this project is in conformity with the San Francisco Master Plan and is consistent with the priorities set forth in Planning Code Section 101.1

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RECOMMENDED:

RUDOLF NOTHENBERG
Chief Administrative Officer

RECOMMENDED:

JOHN E. CRIBBS
Director of Public Works

RECOMMENDED:

ROBERT T. COCKBURN
Deputy director for Engineering
and City Engineer (928-8472)

Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
53-92-3.1

AUG 31 1992
Date Approved

Mayor

FILE NO. 53-92-3 RESOLUTION NO. 747-92

(Islais Creek Transport/Storage Modifications Negative Declaration Adoption)

ADOPTING FINAL NEGATIVE DECLARATION, FINDING AND DETERMINING THAT THE PROPOSED CONSTRUCTION OF THE ISLAIS CREEK TRANSPORT/STORAGE PROJECT MODIFICATIONS WILL HAVE NO SIGNIFICANT IMPACT ON THE ENVIRONMENT, AND ADOPTING AND INCORPORATING FINDINGS OF FINAL NEGATIVE DECLARATION.

WHEREAS, on March 20, 1992, the Department of City Planning issued a Preliminary Negative Declaration, File No. 91.136E, for the Islais Creek Transport/Storage Project Modifications, consisting of underground sewerage facilities on the south side of Army Street, from Mississippi Street to Tennessee Street, and along the north bank of Islais Creek Channel; and

WHEREAS, on May 27, 1992 the Final Negative Declaration was issued by the Department of City Planning; and

WHEREAS, This Board of Supervisors has received a copy of the Final Negative Declaration, File No. 91.136E, issued by the Department of City Planning; and

WHEREAS, The Department of City Planning will monitor compliance with the mitigation measures set forth in the Negative Declaration in accordance with a mitigation monitoring and reporting program prepared by the Office of Environmental Review, on file with the Board of Supervisors in File No. 53-92-3 ; and

WHEREAS, This Board of Supervisors has conducted a public hearing on the matter of adoption of the Final Negative Declaration, prior to consideration of authorization of construction of underground wastewater storage structures; now therefore be it

RESOLVED, That this Board of Supervisors has reviewed and considered the Final Negative Declaration and adopts said Final Negative Declaration; and be it

FURTHER RESOLVED, That the analysis in the Final Negative Declaration reflects the independent judgment of the Department of City Planning; and be it

FURTHER RESOLVED, That this Board of Supervisors hereby finds and determines that the proposed construction of the underground wastewater transport and storage structures described in the Final Negative Declaration will have no significant impact on the environment; and be it

FURTHER RESOLVED, That this Board of Supervisors adopts and incorporates herein by reference thereto the findings of the Final Negative Declaration, 91.136E, issued by the Department of City Planning on May 27, 1992, a copy of which is on file with the Clerk of the Board of Supervisors.

RECOMMENDED:
CITY PLANNING COMMISSION

By L. R. Blazej
Lu Blazej
Acting Director of Planning

DATE: 7-8-92

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Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
53-92-3

AUG 31 1992
Date Approved

Mayor

FILE NO. 185-92-3 RESOLUTION NO. 748-92

[Proposition J-Youth Vote Project]

URGING THE MAYOR TO ENDORSE THE YOUTH VOTE PROJECT AND INCORPORATE IT INTO THE ANNUAL PUBLIC PLANNING PROCESS FOR PROPOSITION J FUNDS.

WHEREAS, The passage of The Children's Amendment (Proposition J) in November, 1992 amended the San Francisco Charter through a set aside of 2.5% of property tax revenues for ten years, thereby creating the "Children's Fund" to augment services to children and youth only; and,

WHEREAS, The Children's Amendment mandates that the Mayor's office provide a public process for developing an annual Children's Services Plan with goals, objectives and expenditures for the Children's fund; and,

WHEREAS, The concerns of consumers and ordinary citizens are essential to developing a quality Children's Services Plan that reflects the needs of San Francisco's diverse population; and,

WHEREAS, The voices of consumers and ordinary citizens have been under-represented in city planning processes, and all too often overpowered by the voices of professional service providers; and,

WHEREAS, Youth are the primary consumers of Proposition J funded services, thereby making it incumbent on the City to create an appropriate vehicle for youth input into the annual Children's Services Plan; and,

WHEREAS, Coleman Advocates for Youth and Children, in cooperation with the San Francisco Unified School District, the Delinquency Prevention Commission, the League of Women Voters, the Parent-Teacher Association (PTA), and the Registrar of Voters, is proposing an annual "Youth Vote" project to give students in the public schools the opportunity to vote on Proposition J spending priorities, beginning in Fall, 1992 with the 9th and 11th grades in all city high schools, but thereafter, not to be limited to those grades; now, therefore, be it

RESOLVED, That the Board of Supervisors urges his Honor, the Mayor, to endorse the Youth Vote project and incorporate it into the annual public planning process for Proposition J funds, thereby giving the results of the vote equal weight; and, be it

FURTHER RESOLVED, That the City and County of San Francisco commends the San Francisco Unified School District, the Delinquency Prevention Commission, the League of Women Voters, the PTA and the Registrar of Voters for supporting the Youth Vote project.

SUPERVISOR SHELLEY August 17, 1992

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Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
185-92-3

AUG 31 1992
Date Approved

Mayor

FILE NO. 156-92-2 RESOLUTION NO. 749-92

(PIC -- HOMELESS REPRESENTATIVE)

URGING THE MAYOR TO URGE THE PRIVATE INDUSTRY COUNCIL TO ADD A MEMBER TO THE PRIVATE INDUSTRY COUNCIL THAT REPRESENTS THE EMPLOYMENT TRAINING NEEDS OF THE HOMELESS, AND TO CONSIDER RECOMMENDATIONS FOR APPOINTMENT FROM THE COALITION ON HOMELESSNESS.

WHEREAS, The U.S. Job Training Partnership Act of 1982 provides for the establishment and membership of Private Industry Councils for the purpose of providing policy guidance and oversight with respect to the activities under the job training plan for its service delivery area in partnership with the unit of general local government within its service delivery area; and

WHEREAS, The Private Industry Council of San Francisco consists of thirty (30) members, twenty (20) of which represent employers of the private sector and ten (10) represent public agencies; and

WHEREAS, The Act requires that members of the council be appointed by the chief elected official and that individuals appointed as representatives of public non-educational agencies be selected from individuals recommended by interested organizations; and

WHEREAS, The Act further requires the council to determine the number of members once the initial council is determined by

the chief elected official; and

WHEREAS, Homelessness is partly caused by job loss and can be addressed through job training that assists in obtaining employment; and

WHEREAS, An individual familiar with the employment needs of homeless people would represent the interests of the homeless in the development of the San Francisco job training plan; now, therefore, be it

RESOLVED, The Board of Supervisors urges the Mayor to urge the Private Industry Council to add a member to the Private Industry Council or fill a vacated seat with a member that represents the employment training needs of the homeless; and, be it

FURTHER RESOLVED, The Board of Supervisors urges the Mayor to appoint an individual recommended by a community-based organization that serves the homeless.

SUPERVISOR KENNEDY

8/6/92

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Adopted - Board of Supervisors, San Francisco August 24, 1992

Ayes: Supervisors Alioto Conroy Gonzalez Hsieh Migden Shelley

Absent: Supervisors Achtenberg Britt Hallinan Kennedy Maher

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
156-92-2

AUG 31 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 1-92-35 RESOLUTION NO. 750-92

LA

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Jim Gonzalez, member, Board of Supervisors,
August 30 - September 1;
John L. Taylor, Clerk of the Board,
September 11 - 18;
Steven Coulter, member, Library Commission,
August 21 - September 6;
James K. Ho, member, Airports Commission,
September 1 - 9;
Caryl Ito, member, Commission on the Status of Women,
September 1 - 8;
Patrick A. Murphy, President, Airports Commission,
August 25 - 27;
Joanne Chow Winship, Director, Art Commission,
September 5 - 13, 1992.

Adopted on date of introduction
Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
1-92-35

SEP 02 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 4-92-21 RESOLUTION NO. 751-92

[Orange and Black Day]

DECLARING TUESDAY, SEPTEMBER 8, 1992 "ORANGE AND BLACK DAY" IN SAN FRANCISCO.

WHEREAS, The owners of each major league franchise will meet on September 9-10, 1992 to consider the proposed sale and relocation of the Giants to St. Petersburg, Florida; and,

WHEREAS, The citizens of San Francisco and the region have sent hundreds of thousands of letters and postcards to the Baseball Commissioner and franchise owners expressing their desire that the Giants franchise stay in San Francisco; and,

WHEREAS, The loss of the Giants would deal an incalculable injury to both the spirit and economy of San Francisco and would deprive people of all ages of a unique cultural opportunity offered by Major League baseball; now, therefore, be it

RESOLVED, That the Board of Supervisors and the Mayor declare Tuesday, September 8, 1992 "Orange and Black Day" in San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors and the Mayor urge the residents of San Francisco and the Bay Area to wear orange and black on Tuesday, September 8, 1992 to demonstrate their support for keeping the Giants in San Francisco; and, be it

SUPERVISORS CONROY, ALIOTO, SHELLEY

FURTHER RESOLVED, That the Board of Supervisors and the Mayor urge all businesses in San Francisco to openly display their support for keeping the Giants in San Francisco by encouraging their employees to clebrate "Orange and Black Day" by wearing orange and black on Tuesday, September 8, 1992, and by displaying Giants signs or banners in their windows; and, be it

FURTHER RESOLVED, That the Board of Supervisors and the Mayor urge all Giants fans in San Francisco and the region to demonstrate their support for keeping the team in San Francisco by attending appropriate rallies and celebrations in support of the San Francisco Giants.

SUPERVISORS CONROY, ALIOTO, SHELLEY

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SEP 8 1992
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Adopted on date of introduction
Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
4-92-21

SEP 02 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-22 RESOLUTION NO. 752-92

[THEATRE RHINOCEROS DAY]

URGING THE MAYOR TO PROCLAIM SEPTEMBER 10, 1992, AS THEATRE RHINOCEROS DAY IN SAN FRANCISCO.

WHEREAS, Theatre Rhinoceros has developed and produced theater works that examine issues and social concerns from a lesbian and gay perspective, and has presented this work both in the lesbian and gay community and in the wider society with which it interacts; and

WHEREAS, Theatre Rhinoceros is dedicated to providing a professional environment where lesbian and gay artists from diverse cultural backgrounds can develop new skills and polish existing ones; and

WHEREAS, Theatre Rhinoceros embarks upon its 15th Anniversary Season on September 10, 1992; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the Mayor to declare September 10, 1992, as Theatre Rhinoceros Day in San Francisco.

SUPERVISORS ACHTENBERG, MIGDEN, BRITT

BOARD OF SUPERVISORS

oć

Adopted on date of introduction
Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
4-92-22

SEP 02 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 6-92-17 RESOLUTION NO. 753-92

OC

[LESBIAN AND GAY BANDS OF AMERICA]

COMMENDING AND HONORING LESBIAN AND GAY BANDS OF AMERICA FOR THEIR DEDICATION, COMMITMENT TO EXCELLENCE, AND HARD WORK IN SERVING THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO AND OF THE UNITED STATES OF AMERICA.

WHEREAS, Lesbian and Gay Bands of America was founded on October 3, 1982, in Chicago, with eight member bands from San Francisco, Los Angeles, Chicago, New York City, Washington, D.C., Houston, Dallas, and Minneapolis, and today holds a membership consisting of twenty-two member bands from across the United States and Canada; and

WHEREAS, Lesbian and Gay Bands of America provide a national network of lesbian and gay bands at all stages of development, promote music as a medium of communication among all people, improve the quality of artistic and organizational aspects of member bands, and stimulate public interest in the unique art form of community band music in our culture; and

WHEREAS, Lesbian and Gay Bands of America will perform at the March on Washington in April of 1993, and at the Gay Games IV and Cultural Festival in June of 1994 in New York City; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors commends and honors Lesbian and Gay Bands of America for their dedication, commitment to excellence, and hard work in serving the people of the City and County of San Francisco and of the United States of America.

SUPERVISOR ACHTENBERG , KENNEDY

Adopted on date of introduction
Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
6-92-17

SEP 02 1992
Date Approved

Frank M. Jordan
Mayor

DOCUMENTS DEPT.
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FILE NO. 42-92-39 RESOLUTION NO. 754-92

OC

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF ELIZABETH STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Elizabeth Street, between Castro and Diamond Streets on Saturday, September 26, 1992, and Sunday, September 27, 1992, from 8:30 a.m. until 6:00 p.m. for a festival sponsored by St. Philips Church;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Elizabeth Street, between Castro and Diamond Streets on Saturday, September 26, 1992, and Sunday, September 27, 1992, from 8:30 a.m. until 6:00 p.m. for a festival sponsored by St. Philips Church;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR CONROY

BOARD OF SUPERVISORS

Adopted on date of introduction
Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
42-92-39

SEP 02 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 42-92-40 RESOLUTION NO. 755-92

oc

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF VIRGIL STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Virgil Street, between Twenty-fifth and Twenty-sixth Streets on Wednesday, September 2, 1992, through Saturday, September 5, 1992, from 7:00 a.m. until 10:00 p.m. for filming of the motion picture "Joyride" by Warner Brothers;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Virgil Street, between Twenty-fifth and Twenty-sixth Streets on Wednesday, September 2, 1992, through Saturday, September 5, 1992, from 7:00 a.m. until 10:00 p.m. for filming of the motion picture "Joyride" by Warner Brothers;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

BOARD OF SUPERVISORS

Adopted on date of introduction
Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 42-92-40

SEP 02 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 257-92-1 RESOLUTION NO. 756-92

[Shell Oil Clean-up at 2198 Fell Street]

DIRECTING THAT A THIRD PARTY CONSULTANT BE SELECTED BY A COMMITTEE AND HIRED BY SHELL OIL TO FURTHER TEST THE SOIL VAPOR AND WATER AT 2198 FELL FOR PRODUCTS OTHER THAN GASOLINE AND FINGERPRINT THE PRODUCTS THAT WILL BE EMITTED INTO THE AIR; THAT THE CLERK OF THE BOARD OF SUPERVISORS ASK FOR A REPORT ON ALTERNATIVE TECHNOLOGIES AND THEIR EFFICIENCIES FROM THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD); URGING THE BAAQMD AND THE REGIONAL WATER QUALITY CONTROL BOARD TO USE THE NEW INFORMATION TO ASSESS THE RISKS; THAT SHELL OIL WILL HALT ALL EFFORTS UNTIL ALL OF THIS INFORMATION IS REPORTED BACK TO THE COMMITTEE.

WHEREAS, The property at 2198 Fell Street, formerly a Shell Gas Station, located in a residential neighborhood, near the St. Mary's Hospital entrance, needs to have its contaminated soil and water cleaned by Shell Oil; and

WHEREAS, Shell has installed a Soil Vapor Extraction System at 2198 Fell Street to clean the site and has a start date of September 28,1992; and

WHEREAS, The Vapor Extraction System will allow as yet unknown contaminants to be emitted into the air continuously for at least two years; and

WHEREAS, The known and probable unknown risks of this extraction system have caused great concern in the affected neighborhoods; and

WHEREAS, The original permits for this system, specifically those for analysis of the probable existence of free product and Volatile Organic Compounds and Chlorinated Volitile Organic Compounds (VOCs) in the soil and groundwater were granted by the Bay Area Air Quality Management District and the Regional Water Quality Control Board based on an incomplete assessment of current

HALLINAN, GONZALEZ, ALIOTO, SHELLEY, ACHTENBERG
BOARD OF SUPERVISORS

conditions at the site; and

WHEREAS, The use of the Vapor Extraction System threatens the migration of ground water contaminants into uncontaminated areas; and

WHEREAS, Consideration and review of more appropriate alternative technologies has been incomplete; and

WHEREAS, The current clean-up plan was chosen without any input from or notification to the community or affected neighbors; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the Mayor to request the Director of Public Health to appoint a committee consisting of 1 representive of Shell Oil, 1 of the San Francisco Department of Public Health, 1 chosen by St. Mary's Hospital and Medical Center, 1 chosen by the Stanyan-Fulton Neighborhood Association, 1 chosen by the Haight Ashbury Neighborhood Council and two at large members of the affected community; and, be it

FURTHER RESOLVED, That the said committee will select a third party consultant to be paid for by Shell Oil; and, be it

FURTHER RESOLVED, That the third party consultant do additional sampling of the soil, vapor and ground water and fingerprint the actual product or products; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors will ask the Bay Area Air Quality Management District and the San Francisco Regional Water Quality Control Board reassess the risks with this new information; and, be it

FURTHER RESOLVED, The Clerk of the Board of Supervisors shall

BOARD OF SUPERVISORS
HALLINAN, GONZALEZ, ALIOTO, SHELLEY, ACHTENBERG

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ask the Air Quality Management District and the Regional Water Quality Control Board to prepare a report on all of the feasible technological methods to clean up soil and water and their efficiencies for the Board of Supervisors, and, be it

FURTHER RESOLVED, That Shell halt all remediation efforts until the results of the third party consultant are assessed by the BAAQMD and the RWQCB; and be it

FURTHER RESOLVED, The third party selection committee meet with the revised information, so they can fairly assess the risks of the clean-up with Shell Oil and determine the appropriate method of remediation.

Adopted on date of introduction
Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 257-92-1

SEP 02 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 48-92-19 RESOLUTION NO. 757-92

RO #92048

[SETTLEMENT OF CLAIM]

AUTHORIZATION SETTLEMENT OF LITIGATION OF BUSINESS TAX REFUND CLAIM OF HAMILTON SAVINGS BANK AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $100,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the claim entitled Business Tax Refund Claim of Hamilton Savings Bank, Account Number 119260, by the payment of $100,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

BARRON L. WEINSTEIN
Acting Chief Trial Deputy

RECOMMENDED:

TAX COLLECTOR

THAD BROWN

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

01 001 97 09 08
310441 1450 $100,000.00

AUG 11 1992

TAX COLLECTOR

07/30/92

4638w
BOARD OF SUPERVISORS

Page 1 of 1

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Gonzalez Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 48-92-19

SEP 04 1992
Date Approved

Mayor

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FILE NO. 52-92-5.1 RESOLUTION NO. 758-92

(Lighting Assessment District)

DETERMINING TO UNDERTAKE PROCEEDINGS TO FORM AN ASSESSMENT DISTRICT PURSUANT TO ARTICLE 4 OF CHAPTER 1 OF THE LANDSCAPING AND LIGHTING ACT OF 1972, AS ADOPTED BY ARTICLE 6.1, SUBARTICLE VIII, CHAPTER X, PART II OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) FOR THE PURPOSES OF INSTALLING STREET LIGHTING IN THE SUTRO HEIGHTS DISTRICT; REQUESTING ENGINEER'S REPORT REGARDING FINANCIAL ASSISTANCE FOR SENIOR CITIZEN HOMEOWNERS IN THE PROPOSED DISTRICT.

GJ 8/26

ASSESSMENT DISTRICT NO. 92-1

(Sutro Heights District)

WHEREAS, A majority of property owners in the Sutro Heights District of San Francisco have petitioned the City and County for undergrounding of utilities in the district; and

WHEREAS, In connection with the undergrounding the petitioning owners have requested that street lighting be installed in the proposed district; and

WHEREAS, The Department of Hetch Hetchy Water and Power intends to contribute the funds necessary to undertake the installation of the requested street lighting with the understanding that said funds will be repaid from the proposed assessment; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby determines to undertake to form an assessment district pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, subarticle VIII, Chapter X, Part II of the San Francisco Municipal

Code (Public Works Code); and, be it

FURTHER RESOLVED, That the proposed assessment district shall be designated Assessment District No. 92-1, City and County of San Francisco, and shall include the properties shown on the map designated "Proposed Sutro Heights Underground Assessment District," and dated May 1, 1992, which map is on file with the Clerk of this Board and incorporated herein by this reference; and, be it

FURTHER RESOLVED, That the City Engineer of the City and County of San Francisco is hereby designated to serve as engineer for the purposes of these formation proceedings; and, be it

FURTHER RESOLVED, That the Board hereby authorizes the Department of Public Works to proceed to obtain and file with the Clerk of the Board an engineer's report in accordance with the requirements and for the purpose of these formation proceedings; and, be it

GJ 8/26

FURTHER RESOLVED, That the Board of Supervisors requests that the engineer's report shall include a listing of options available to senior citizen homeowners in the proposed district for deferring or waiving their street lighting assessments and costs for undergrounding utilities, and a listing of other City and non-City sources for funding the costs incurred by senior citizen homeowners.

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Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Hsieh Maher Shelley

Absent: Supervisors Britt Gonzalez Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 52-92-5.1

SEP 0 4 1992
Date Approved

Mayor

FILE NO. 12-92-37 RESOLUTION NO. 759-92

[STATE TRANSPORTATION BOND MEASURE]

ENDORSING THE PASSENGER RAIL AND CLEAN AIR BOND ACT OF 1992.

WHEREAS, Rail transportation results in cleaner air, less energy use, more transportation opportunities for those who cannot drive, and less congestion on already overcrowded streets and highways; and

WHEREAS, In 1989, the State Legislature provided for three $1 billion rail transportation bond measures on the ballot as part of the $18.5 billion Transportation Blueprint for the Twenty First Century; and

WHEREAS, Proposition 108, the Passenger Rail and Clean Air Bond Act of 1990, which the voters approved in June, 1990 was the first of these three measures; and

WHEREAS, The second $1 billion bond measure will appear on the November 3, 1992 ballot; and

WHEREAS, Proposition 156, the Passenger Rail and Clean Air Bond Act of 1992, would provide $1 billion to improve and expand intercity, commuter and light rail transit throughout California; and

WHEREAS, The act would benefit San Francisco County by providing funds vitally needed to extend BART; rehabilitate BART vehicles; extend Muni Metro in Mission Bay, on the Embarcadero, and to Potrero Hill; purchase Muni Metro vehicles; improve Peninsula commute service; fund the BART/Muni/Caltrain interconnect; and improve intercity service to Sacramento, the Central Valley and Southern California; and

WHEREAS, Proposition 156's failure at the polls would cause San Francisco's "county minimum" to be reduced by $23.4 million, placing much needed county transportation improvement projects at risk; and

WHEREAS, Thousands of jobs will be created with passage of this bond; now, therefore, be it

RESOLVED, That the City and County of San Francisco endorses Proposition 156, the Passenger Rail and Clean Air Bond Act of 1992 on the November 3, 1992 ballot.

SUPERVISOR SHELLEY August 17, 1992

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
12-92-37

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 12-92-38 RESOLUTION NO. 760-92

[Minimum Wage]

URGING THE INDUSTRIAL WELFARE COMMISSION TO ESTABLISH A WAGE BOARD TO RECOMMEND AN ADEQUATE MINIMUM WAGE.

WHEREAS, A minimum wage worker, working full time, earns 22% less than the federal poverty level for a family of three; and

WHEREAS, The minimum wage does not supply enough income to support a family so that minimum wage workers often must live in substandard housing, lack proper clothing, and eat an inadequate diet; and

WHEREAS, An adequate minimum wage would allow low wage workers to be less dependent on public assistance, thereby relieving the taxpayers and the state's welfare budget; and

WHEREAS, An adequate minimum wage would raise consumer spending throughout the state of California, thereby benefiting the economy resulting in increased tax revenues for local amd state government; and

WHEREAS, The Industrial Welfare Commission is required to investigate the adequacy of the minimum wage and appoint a Wage Board if the minimum wage might not be adequate to supply the cost of proper living; and

SUPERVISOR SHELLEY August 24, 1992

WHEREAS, The Commission has not yet acted to create this Wage Board even though it has held three hearings throughout the state and has heard overwhelming evidence that the current minimum wage is grossly inadequate; and

WHEREAS, Inflation continues to erode the value of the minimum wage, making it increasingly inadequate with each passing month; now, therefore, be it

RESOLVED, That the Board of Supervisors calls upon the Industrial Wage Commission to establish a Wage Board to recommend an adequate minimum wage.

BOARD OF SUPERVISORS

SUPERVISOR SHELLEY August 24, 1992

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Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
12-92-38

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 13-92-15 RESOLUTION NO. 761-92

[AIDS Funding]

URGING INCREASED FUNDING FOR AIDS PREVENTION, RESEARCH, CARE, AND HOUSING.

WHEREAS, The City of San Francisco, the community-based organizations centered here, and the residents of the City have a long-standing history of advocacy on behalf of people affected and infected by HIV disease and for full and humane funding for effective programs on their behalf; and

WHEREAS, the City of San Francisco is already on record in support of augmentation of AIDS prevention, research, care and housing funding from the federal government; and

WHEREAS, San Francisco developed an emulated model of community-based AIDS care and treatment during the 1980's, but this model is currently showing serious strain due to spiraling case loads and decreasing resources; and

WHEREAS, Local and state resources have been cut severely since 1987, drastically reducing the City's ability to fund necessary and humane AIDS programs; and

WHEREAS, The Federal government has already declared San Francisco an "AIDS Disaster Relief City," and it is the Federal government which traditionally aids jurisdictions when they cannot adequately respond to emergency situations; and

Supervisor Angela Alioto

WHEREAS, The Federal government has traditionally been responsible for coordinating nationwide responses to epidemics; and

WHEREAS, Resources provided to San Francisco's Department of Public Health and community-based organizations--such as those programs funded through the Ryan White CARE Act, the Centers for Disease Control's Prevention Education Funds, the Housing Opportunities for People With AIDS Act, and NIH research grants--have been used effectively and efficiently to provide highly innovative services to people affected and infected by HIV disease; and

WHEREAS, AIDS is the third leading cause of death among all men in San Francisco and the second leading cause of premature death among all people nationwide; and

WHEREAS, Approximately 1 - 1 1/2 million Americans are infected with HIV, and 215,000 will die during the next three years; and

WHEREAS, San Francisco has the highest per capita incidence of AIDS in the United States with one of every 25 residents infected with HIV; now, therefore, be it

Supervisor Angela Alioto

BOARD OF SUPERVISORS

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RESOLVED, That the Board of Supervisors urges the House of Representatives, the Senate, and the President of the United States to increase funding for AIDS prevention, research, care and housing specifically to fully fund the Ryan White CARE Act, to restore prevention cuts from the budget of the Centers for Disease Control, to re-authorize the Housing Opportunities for People With AIDS Act, and to increase the National Institutes of Health's AIDS research budget by $200 million in new dollars; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the House of Resprentatives, the Senate, and the President of the United States to increase AIDS funding with new monies, and to not use funds previously earmarked for other vital health care and social services programs; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges his Honor, the Mayor, to urge the San Francisco Congressional delegation and California Senators to take all actions necessary to achieve the objectives of this resolution; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit copies of this resolution to the San Francisco Congressional delegation, California Senators, and the President of the United States.

Supervisor Angela Alioto

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
13-92-15

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 14-92-1 RESOLUTION NO. 763-92

(Garbage Liens)

CONFIRMING REPORT OF DELINQUENT CHARGES FOR REFUSE COLLECTION SERVICES AND NUISANCE REMOVAL COSTS SUBMITTED BY THE DIRECTOR OF PUBLIC HEALTH, AS MODIFIED TO THE DATE OF ADOPTION OF THIS RESOLUTION, AND CREATING SPECIAL ASSESSMENTS AND LIENS BASED THEREON.

RESOLVED, That after public hearing on August 31, 1992 of any and all objections to the report of the Director of Public Health dated August 28, 1992, modified to the date of adoption hereof, on delinquent charges for refuse collection and nuisance removal services paid for by the City and County on behalf of specified property owners, as provided for in part II, Chapter V of the San Francisco Municipal Code (Health Code), Section 97.2 through 97.3 and Sections 291.11 through 291.12, this Board does hereby confirm, said report and assessment of costs incurred as modified, and as shown on report on file in the office of the Clerk of the Board of Supervisors, File No. 14-92-1 and by reference made a part hereof; and be it.

FURTHER RESOLVED, That the Clerk of the Board be and he is hereby directed to transmit a certified copy of this resolution and its attached report to the Tax Collector who shall cause the amount of said assessment in each case to be added to the next regular bill for taxes levied against the property, with a clear notation thereof on said bill.

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 14-92-1

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

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AS AMENDED IN COMMITTEE - 8/26/92

FILE NO. 27-92-7 RESOLUTION NO. 703-92

[Seismic Safety Retrofit Program]
~~(AIRPORT ADMINISTRATION)~~
GJ 8/26 AUTHORIZING THE AIRPORTS COMMISSION TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT
~~STATE OF CALIFORNIA SEISMIC SAFETY RETROFIT PROGRAM~~
OF TRANSPORTATION, STATE OF CALIFORNIA, FOR PARTICIPATION IN THE SEISMIC SAFETY RETROFIT PROGRAM, AND RATIFYING ACTIONS PREVIOUSLY TAKEN.

WHEREAS, Under the State of California Seismic Safety Retrofit Program, the upper level viaduct at San Francisco International Airport (Br. No. 35C-0133) is eligible for one hundred percent (100%) State and Federal funding through the State for any necessary seismic retrofit work; and

WHEREAS, To receive funding under this State program the Airports Commission and the Department of Transportation, State of California, must enter into an agreement for participation in the program which will entitle the Airports Commission to reimbursement for necessary work; and, now, therefore, be it

RESOLVED, That this Board of Supervisors hereby authorizes the Airports Commission to enter into an agreement with the Department of Transportation, State of California, for participation in the Seismic Safety Retrofit Program; and, be it

GJ 8/26 FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify actions previously taken.

Teresa Serate
Mayor's Office

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Hsieh Maher Shelley

Absent: Supervisors Gonzalez Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 27-92-7

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

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AS AMENDED IN COMMITTEE - 8/26/92

FILE NO. 30-92-8 RESOLUTION NO. 764-92

[PATIENT DAY RATES]

GJ 8/26 FIXING, retroactively, PATIENT DAY RATES FOR SERVICES FURNISHED BY CITY AND COUNTY HEALTH CARE INSTITUTIONS AND RESCINDING RESOLUTION NO. 367-92; effective July 1, 1992.

RESOLVED, That pursuant to the recommendations of the Health Commission and the Controller, and in accordance with the provisions of Article 3, Chapter V, Part II of the San Francisco Municipal Code, and amended by Ordinance No 7091, (Series of 1939), the Board of Supervisors of the City and County of San Francisco does hereby determine and GJ 8/26 fix, retroactively, the proper and reasonable amounts to be charged to persons when said persons by themselves or through relatives are legally obligated and able to pay in whole or in part for institutional care provided by said City and County, paid amounts on a patient day basis or other basis as indicated, effective July 1, 1992 to be as follows:

SAN FRANCISCO GENERAL HOSPITAL	UNIT	EFFECTIVE JULY 1,1992 AMOUNT
Medical Surgical	Day	682.00
Intensive Care	Day	2,015.00
Coronary Care	Day	1,917.00
Chest-Pulmonary	Day	1,949.00
Stepdown Units	Day	1,314.00
Pediatrics	Day	780.00
Obstetrics	Day	623.00
Nursery - Well Baby	Day	488.00
- Observation	Day	650.00
- Semi-Intensive Care	Day	1,170.00

3.1.1

BOARD OF SUPERVISORS

SAN FRANCISCO GENERAL HOSPITAL (Con't.)	UNIT	AMOUNT
Nursery - Intensive Care	Day	1,689.00
Labor/Delivery - 6G	Day	623.00
Labor/Delivery Hours of Stay	Hour	49.00
Psychiatric Inpatient	Day	747.00
Psychiatric Forensic Inpatient - 7L	Day	747.00
AIDS Unit 5-A	Day	747.00
Security Unit - 7D	Day	682.00
SURGICAL SERVICES		
Minor Surgery Pre-Op Holding Room	Room	110.00
Minor Surgery I (Come & Go)	1/4 Hr.	156.00
	1/2 Hr.	312.00
	3/4 Hr.	468.00
	(Full) 1 Hr.	623.00
	Ea.Add'l 1/4 Hr.	156.00
Minor Surgery II	1st Hr.	676.00
	Ea.Add'l 1/2 Hr.	337.00
Major Surgery Pre-Op Holding	Room	110.00
Major Surgery I	1st Hr.	1,007.00
	Add'l 1/2 Hr.	351.00
Major Surgery II	1st Hr.	1,137.00
	Add'l 1/2 Hr.	363.00
Major Surgery III	1st Hr.	1,266.00
	Add'l 1/2 Hr.	468.00
Extraordinary Surgery	1st Hr.	1,429.00

3.1.2

BOARD OF SUPERVISORS

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SAN FRANCISCO GENERAL HOSPITAL (Con't.)	UNIT	AMOUNT
	Add'l 1/2 Hr.	519.00
Surgery 2 Teams	Procedure	1,980.00
	Add'l 1/2 Hr.	665.00
Surgery 3 Teams	Procedure	2,568.00
	Add'l 1/2 Hr.	864.00
Recovery Room	1st Hr.	390.00
	2nd Add'l 1 Hr.	93.00
	3rd Add'l 1 Hr.	58.00
Anesthesia	First 1/2 Hr.	309.00
	Add'l Minute	10.00
Argon Laser Treatment Proc.	Procedure	1,021.00
Therapeutic Abortion	Procedure	175.00
EMERGENCY CLINIC: -		
- Level I	Visit	64.00
- Level II	Visit	88.00
- Level III	Visit	111.00
- Level IV	Visit	204.00
- Level V	Visit	467.00
- Level VI	Visit	1,109.00
Non-Critical Observation	0-2 Hrs.	64.00
	2-4 Hrs.	187.00
	4-6 Hrs.	321.00
Critical Observation	0-2 Hrs.	187.00
	2-4 Hrs.	374.00

SAN FRANCISCO GENERAL HOSPITAL (Con't.)	UNIT	AMOUNT
	4-6 Hrs.	554.00
Resuscitation		1,109.00
GENERAL CLINIC		
Initial		
Brief Exam.	Visit	62.00
Initial Intermediate	Visit	104.00
Initial Comprehensive	Visit	216.00
Established Patient		
Brief Exam.	Visit	41.00
Intermediate	Visit	62.00
Comprehensive	Visit	146.00
Use of Exam. Room	Room	29.00
AMBULANCE SERVICE		
Advance Life Support	Response	484.65
Per Mile	Mile	10.18
Night Call	Call	57.67
Emergency	Call	63.33
Basic Life Call	Response	269.25
Per Mile	Mile	10.18
Night Call	Call	57.67
Oxygen	Unit	48.63
Cardiac Monitor	Unit	57.08
Non-Transport	Unit	63.33
Supplies & Drugs	Unit	Special Price List

LAGUNA HONDA HOSPITAL	UNIT	AMOUNT
Regular Hospital Rates		
Acute	Day	830.00
Rehabilitation	Day	666.00
Skilled Nursing Facility	Day	230.00
All Inclusive Rates		
Acute	Per Diem	1,046.00
Rehabilitation	Per Diem	943.00
Skilled Nursing Facility	Per Diem	230.00
COMMUNITY MENTAL HEALTH SERVICES		
SERVICE	TIME	CHARGE
Emergency Crisis	24 Hours	1,100.00
Inpatient	24 Hours	900.00
Partial Day Care		
Habilitative	Per Day	150.00
Intensive	Per Day	250.00
Outpatient - Collateral	Per Occurence	175.00
- Assessment	Per Occurence	375.00
- Individual	Per Session	310.00
- Group	Per Session	150.00
- Med	Per Visit	225.00
- Crisis	Per Episode	375.00
- Case Management	1/4 Hour	30.00
DIVISION OF ALCOHOL PROGRAMS		
Residential: Detoxification	24 Hours	70.00

DIVISION OF ALCOHOL PROGRAMS Con't.)		
Residential	24 Hours	80.00
Recovery Home	24 Hours	70.00
Outpatient - Individual	1 Hour	75.00
- Group	1 Hour	45.00
- Family	1 Hour	65.00
- Home	1 Hour	50.00
- Rehabilitation	1 Hour	45.00
- Environmental	1 Hour	20.00
DIVISION OF DRUG PROGRAMS		
Service		
Therapeutic Community	24 Hours	55.00
Outpatient - Detoxification	Per Visit	90.00
- Individual Therapy	1 Hour	65.00
- Group	1 Hour	65.00
- Family	1 Hour	65.00
- Home	1 Hour	60.00
- Methadone Treatment	1 Hour	26.00
PUBLIC HEALTH		
Comprehensive Exam - New		123.00
Intermediate Exam - New		74.00
Limited Exam - New		53.00
Brief Exam - New		41.00
Comprehensive Exam - Established		91.00
Extended Exam - Established		61.00

PUBLIC HEALTH Con't.

Intermediate Exam	-	Established	46.00
Linited Exam	-	Established	36.00
Brief Exam	-	Established	25.00

Be it further resolved that Resolution No 367-92 is rescinded.

HEALTH COMMISSION

RAYMOND J. BAXTER, Ph.D.
DIRECTOR OF PUBLIC HEALTH

BOARD OF SUPERVISORS

3.1.7

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Hsieh Maher Shelley

Absent: Supervisors Gonzalez Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 30-92-8

SEP 0 4 1992

Date Approved

Mayor

FILE NO. 41-92-2 RESOLUTION NO. 765-92

(RENT STABILIZATION & ARBITRATION LIENS)

CONFIRMING REPORT OF DELINQUENT CHARGES FOR RENT ARBITRATION AND STABILIZATION FEES SUBMITTED BY THE TAX COLLECTOR, AS MODIFIED TO THE DATE OF ADOPTION OF THIS RESOLUTION, AND CREATING SPECIAL ASSESSMENTS AND LIENS BASED THEREON.

RESOLVED, That after public hearing on August 31, 1992, of any and all objections to the report of the Tax Collector dated June 24, 1992, modified to the date of adoption hereof, on delinquent charges for Rent Stabilization and Arbitration fees as provided for in Ordinance 354-90, Section 37A.8, of the San Francisco Administrative Code, this Board does hereby confirm said report and assessment of costs incurred as modified, and as shown on report on file in the office of the Clerk of the Board of Supervisors, File No. 41-92-2 and by reference made a part hereof; and, be it

FURTHER RESOLVED, That the Clerk of the Board be and he is hereby directed to transmit a certified copy of this resolution and the confirmed report attached thereto to the Recorder, who shall cause the amount of said assessment in each case to be recorded and added to the next regular bill for taxes levied against the property, with a clear notation thereof on said bill.

Recommended by:

THAD BROWN
Tax Collector

Approved by:

MARY I. CALLANAN
Treasurer

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Kennedy Shelley

Absent: Supervisors Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 41-92-2

SEP 0 4 1992
Date Approved

Mayor

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FILE NO. 41-92-3 RESOLUTION NO. 766-92

(Reinspection Fee Liens)

CONFIRMING REPORT OF DELINQUENT REINSPECTION FEE COSTS SUBMITTED BY THE DIRECTOR OF PUBLIC HEALTH, AS MODIFIED TO THE DATE OF ADOPTION OF THIS RESOLUTION, AND CREATING SPECIAL ASSESSMENTS AND LIENS BASED THEREON.

RESOLVED, That after public hearing on August 31, 1992, of any and all objections to the report of the Director of Public Health dated August 28, 1992, modified to the date of adoption hereof, on delinquent charges for reinspection fee costs created by the City and County against specified property owners, as provided for in part II, Chapter V of San Francisco Municipal Code (Health Code), Section 609 through 609.3, this Board does hereby confirm, said report and assessment of costs incurred as modified, and as shown on report on file in the office of the Clerk of the Board of Supervisors, File No. 41-92-3 and by reference made a part hereof; and be it.

FURTHER RESOLVED, That the Clerk of the Board be and he is hereby directed to transmit a certified copy of this resolution and its attached report to the Tax Collector who shall cause the amount of said assessment in each case to be added to the next regular bill for taxes levied against the property, with a clear notation thereof on said bill.

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Kennedy Shelley

Absent: Supervisors Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 41-92-3

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 42-92-36 RESOLUTION NO. 767-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF CAMPTON ALLEY.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Campton Alley, between Stockton Street and Grant Avenue, on Thursday, October 8, 1992, from 6:00 a.m. until Friday, October 9, 1992, at 6:00 a.m. for Bulgari Jewelry function, sponsored by Campton Place Kempinski Hotel;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Campton Alley, between Stockton Street and Grant Avenue, on Thursday, October 8, 1992, from 6:00 a.m. until Friday, October 9, 1992, at 6:00 a.m. for Bulgari Jewelry function, sponsored by Campton Place Kempinski Hotel;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR HSIEH

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 42-92-36

SEP 0 4 1992
Date Approved

Mayor

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FILE NO. 42-92-38 RESOLUTION NO. 748-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF PORTIONS OF BATTERY, GREEN, GREENWICH AND SANSOME STREETS; AND PROVIDING FOR INSURANCE.

WHEREAS, The Director of the Department of Public Works received an application for the temporary closing of portions of Front, Jackson, Davis and Broadway, on Monday, September 7, 1992 for "Giro Di San Francisco" bicycle race sponsored by Velo Promo & Twin Peaks Cycling Club; and

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following streets:

Battery Street, between Green and Greenwich Streets, including the intersection of Battery and Greenwich Streets, on Monday, September 7, 1992, from 8:00 a.m. to 3:35 p.m;

Green Street, between Battery and Sansome Streets, including the intersection of Green and Sansome Streets, on Monday, September 7, 1992, from 8:00 a.m. to 3:35 p.m;

Greenwich Street, between Battery Street and Sansome Streets, including the intersection of Greenwich and Sansome Streets, and Broadway, on Monday, September 7, 1992, from 8:00 a.m. to 3:35 p.m;

Sansome, between Green and Greenwich Streets, including intersection of Sansome and Greenwich Streets, on Monday, September 7, 1992, from 8:00 a.m. to 3:35 p.m., for "Giro Di San Francisco" bicycle race sponsored by Velo Promo & Twin Peaks Cycling Club;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets; and, be it

FURTHER RESOLVED, That the insurance policy required by Section 2.70-3 of the San Francisco Administrative Code be filed with the appropriate department.

SUPERVISOR BRITT

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Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Hallinan Kennedy Shelley

Absent: Supervisors Britt Gonzalez Hsieh Maher Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
42-92-38

SEP 0 4 1992

Date Approved

Mayor

FILE NO. 68-92-4.1 RESOLUTION NO. 769-92

(HOME PROGRAM)

APPROVING PROCEDURES FOR ALLOCATING HOME PROGRAM FUNDS, AND AUTHORIZING THE MAYOR OF THE CITY AND COUNTY OF SAN FRANCISCO TO ENCUMBER AND AUTHORIZE RELEASE OF A GRANT OF HOME PROGRAM FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A TOTAL AMOUNT NOT TO EXCEED EIGHT MILLION, TWO HUNDRED SIX THOUSAND DOLLARS ($8,206,000). DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE ACCEPTANCE OF THESE GRANT FUNDS WILL BE PAID BY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

WHEREAS, By Resolution No. 218-92, adopted on March 16, 1992 and approved by the Mayor on March 25, 1992, the Board of Supervisors authorized the Mayor to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed eight million two hundred six thousand dollars ($8,206,000); and

WHEREAS, by said Resolution the Board directed the Mayor's Office to prepare and submit to the Board for approval the allocation criteria and procedures to be used for allocating HOME Program funds, prior to the encumbrance of HOME Program funds by the Mayor; and

WHEREAS, the Mayor's Office of Housing has submitted Procedures for Allocating HOME Program Funds to the Board for its approval, which Procedures include the criteria used to allocate funds; and

WHEREAS, the Board of Supervisors has reviewed said Procedures for Allocating HOME Program Funds; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby approves the Procedures for Allocating HOME Program Funds, on file with the Clerk of the Board of Supervisors and incorporated herein by reference; and, be it

MAYOR'S OFFICE OF HOUSING
BOARD OF SUPERVISORS

FURTHER RESOLVED, that the Mayor is hereby authorized to encumber and to authorize release by the U.S. Department of Housing and Urban Development of HOME Program funds which the Mayor has applied for and accepted pursuant to Board Resolution No. 218-92.

RECOMMENDED:
OFFICE OF THE CONTROLLER

By John W Madden
Edward Harrington

RECOMMENDED:
OFFICE OF THE MAYOR

By Teresa Serata

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Maher Shelley

Absent: Supervisors Gonzalez Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
68-92-4.1

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

AS AMENDED IN COMMITTEE - 8/26/92

FILE NO. 133-92-2

RESOLUTION NO. 770-92

(SOLID WASTE MANAGEMENT)

AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO TO ACCEPT AND EXPEND $2,896,061 IN FUNDS FROM THE SANITARY FILL COMPANY TO BE USED FOR THE SOLID WASTE MANAGEMENT PROGRAM PROJECTS; PLACING $519,000 ON RESERVE.

GJ 8/26

WHEREAS, By an initiative ordinance the People of San Francisco provided a procedure for the setting of garbage rates to pay for the collection and disposal of solid waste within the City and County of San Francisco; and

WHEREAS, In 1982 during its review, the Refuse Collection and Disposal Rate Board (Rate Board) included with the rate structure funds to be placed in the Impound Account for project planning for solid waste disposal, recycling and management programs; and

WHEREAS, The Rate Board has directed that monies from the Impound Account will be transferred to the City and County of San Francisco in care of the Chief Administrative Officer as collected to be used for solid waste disposal, recycling, hazardous waste and solid waste management programs; and

WHEREAS, The Rate Board approved an allocation of $2,545,456 under the 1991 Refuse Collection and Disposal Rate Review; and

WHEREAS, The proposed FY 1992-93 budget requirement of $2,896,061 requires additional funds to be expended beyond the $2,545,456 approved in 1991; now therefore be it

RESOLVED, That the Chief Administrative Officer is hereby authorized to accept and expend $2,896,061 from the Sanitary Fill Company, which includes $2,545,456 from payments made from Sanitary Fill Company in FY 1992-1993, $255,605 from funds carried forward from the 1991-92 budget, and $95,000 from previously unallocated funds to be used for the solid waste management programs,

Chief Administrative Officer

GJ 8/26

pursuant to the budget detailed in Exhibit A contained in a letter from the Chief Administrative Officer on file with the Clerk of the Board and incorporated herein; and, be it

FURTHER RESOLVED, That funds in the amount of $519,000 for consulting services are hereby placed on reserve, pending selection of the consultants and a determination of their estimated hours, hourly rates and MBE/WBE status; to be released by the Finance Committee.

Rudolf Nothenberg
Chief Administrative Officer

0328

Chief Administrative Officer

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Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Hsieh
Maher Shelley

Absent: Supervisors Gonzalez Kennedy Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
133-92-2

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 146-92-59 RESOLUTION NO. 771-92

(Grant - State)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, FAMILY HEALTH DIVISION, DENTAL BUREAU, TO APPLY FOR, ACCEPT AND EXPEND A CONTINUATION GRANT OF $27,000, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $3,095, BASED ON 20% OF SALARIES FROM THE STATE DEPARTMENT OF HEALTH SERVICES, DENTAL SECTION, FOR DENTAL HEALTH EDUCATION IN SAN FRANCISCO ELEMENTARY SCHOOLS; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

RESOLVED, that the Department of Public Health, Family Health Division, Dental Bureau, is hereby authorized to apply for, accept and expend a grant of $27,000, which includes indirect costs in the amount of $3,095, based on 20% of salaries from the State Department of Health Services, Dental Section, for dental health education in San Francisco elementary schools to the residents of San Francisco; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, The Board of Supervisors does hereby ratify the action previously taken.

EDWARD HARRINGTON
CONTROLLER
By John W Ward

Jean M Mariani
MAYOR'S OFFICE

Public Health
BOARD OF SUPERVISORS

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Hsieh Maher Shelley

Absent: Supervisors Gonzalez Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
146-92-59

SEP 0 4 1992
Date Approved

Mayor

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File No. 146-92-60

RESOLUTION NO. 772-92

CC

(Grant - State)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, BUREAU OF EPIDEMIOLOGY AND DISEASE CONTROL, TO APPLY FOR A GRANT OF $831,847, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $68,424, BASED ON 20% OF SALARIES, FROM STATE DEPARTMENT OF HEALTH SERVICES, FOR THE CONTINUATION OF THE HEPATITIS B DEMONSTRATION PROJECT.

RESOLVED, That the Department of Public Health, Bureau of Epidemiology and Disease Control, is hereby authorized to apply for a grant of $831,847 which includes indirect costs in the amount of $68,424, based on 20% of salaries, from State Department of Health Services, for the continuation of the Hepatitis B Demonstration Project to the residents of San Francisco.

RECOMMENDED:

Raymond J. Baxter, Ph.D
Director of Health

APPROVED:

Health Commission

Jean M. Mariani
Mayor's Office

Public Health

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Maher Shelley

Absent: Supervisors Gonzalez Hsieh Kennedy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 146-92-60

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 161-92-5 RESOLUTION NO. 773-92

(Redevelopment Agency Budget and Bonds)

APPROVING AN AMENDMENT TO THE BUDGET OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO FOR FISCAL YEAR 1992-93; THE ISSUANCE OF NOT TO EXCEED $550,000 OF TAX ALLOCATION BONDS; AN APPROPRIATION OF $55,000 FOR FISCAL YEAR 1992-93; AND AN AMENDMENT TO THE INDEBTEDNESS LIMITATION AGREEMENT; PLACING $100,000 ON RESERVE.

GJ 8/26

WHEREAS, the Redevelopment Agency of the City and County of San Francisco (the "Agency") is implementing various Redevelopment Plans and programs in the City and County of San Francisco (the "City") in accordance with the California Community Redevelopment Law (the "Law") and the Agency's Mission Statement; and

WHEREAS, section 33606 of the Law provides for approval of the annual Budget of the Agency, and any amendments to the Budget, by the Legislative Body of the City (the "Board of Supervisors"); and

WHEREAS, the Board of Supervisors approved the Agency's interim budget for the fiscal year 1992-93 and an amendment to the Indebtedness Limitation Agreement between the Agency and the City by Resolution No. 513-92 on June 22, 1992; and

///

///

WHEREAS, the Agency has determined that an amendment of its Budget for the fiscal year 1992-93 to permit the expenditure of an additional five hundred and fifty thousand dollars ($550,000) for capital improvements and economic development assistance to the Western Addition Cultural Center; and authorization to issue not to exceed five hundred and fifty thousand dollars ($550,000) in tax allocation bonds will further the purposes of redevelopment in accordance with the Law; now, therefore, be it

RESOLVED, by the Board of Supervisors of the City and County of San Francisco that it does hereby approve an amendment to the fiscal year 1992-93 Budget of the Agency increasing the Agency's expenditure in the Western Addition A-2 Project Area for capital improvements and economic development assistance by $550,000; and be it

FURTHER RESOLVED, that the Agency is hereby given approval to issue tax allocation bonds in an amount not to exceed $550,000 ("Bonds"); and be it

FURTHER RESOLVED, that to support the Bonds, the Agency may increase its annual statement of indebtedness by $55,000 in each year, including the current year, until repayment of the Bonds; and be it

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FURTHER RESOLVED, that the Indebtedness Limitation Agreement shall be amended by the City and the Agency to reflect the authorization of this Resolution; and be it

GJ 8/26

FURTHER RESOLVED, that funds in the amount of $100,000, budgeted for economic development activities, are hereby placed on reserve, pending submission of a comprehensive economic development implementation plan by the Redevelopment Agency, to be released by the Finance Committee.

Adopted - Board of Supervisors, San Francisco August 31, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Hallinan Hsieh Kennedy Shelley

Noes: Supervisor Maher

Absent: Supervisors Gonzalez Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 161-92-5

SEP 0 4 1992
Date Approved

Frank M. Jordan
Mayor

AMENDMENT OF THE WHOLE - 9/14/92

FILE NO. 252-92-3 RESOLUTION NO. 774-92

(Indemnification For Claims In Retaining Giants)

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LOCAL INVESTORS WHEREBY THE CITY WOULD INDEMNIFY LOCAL INVESTORS AGAINST THEIR LIABILITY FOR CLAIMS ARISING OUT OF THEIR PARTICIPATION IN ATTEMPTING TO PURCHASE AND RETAIN IN SAN FRANCISCO THE GIANTS FRANCHISE.

WHEREAS, On August 6, 1992, agents of the owners of the San Francisco Giants, Robert A. Lurie, reportedly entered into an agreement to sell his major league baseball franchise to a consortium of buyers who intend to relocate the franchise to St. Petersburg, Florida in time for the start of the 1993 baseball season; and

WHEREAS, Any transaction to sell and relocate a National League baseball franchise must be approved by the Commissioner of Baseball, three-fourths of the National League owners, and the majority of the American League owners; and

WHEREAS, The Commissioner of Baseball has encouraged the City and County of San Francisco to locate investors who might be willing to buy the Giants franchise and keep them in the San Francisco Bay Area; and

WHEREAS, In response to the Commissioner's encouragement and in pursuit of the goal of keeping the Giants franchise in the San Francisco Bay Area, the Mayor of San Francisco asked local business leaders to assist them in putting together a proposal that could embody an offer to the Giants in the event the Commissioner and the required number of National and American League owners refuse to approve the transfer of the Giants franchise to St. Petersburg, Florida; and

WHEREAS, Major League Baseball could demand that the City demonstrate the availability of this local offer by presenting it to the Commissioner and

the National and American League owners at any time; and

WHEREAS, The rules adopted by Major League Baseball require that any investor or investors seeking to purchase a baseball franchise agree to indemnify Major League Baseball from any and all liability arising out of the purchase of the franchise by such investor or investors; and

WHEREAS, It is in the best interests of the City and County of San Francisco that the San Francisco Giants' franchise be retained in San Francisco; and

WHEREAS, The Board of Supervisor has requested the Mayor to make his best efforts to secure the retention of the San Francisco Giants franchise in San Francisco by all lawful means; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby authorizes the Mayor to execute on behalf of the City and County an agreement in the form attached to this Resolution by which the City and County would indemnify and hold harmless investors who responded to the Mayor's request and who are prepared to make an offer to the owners of the San Francisco Giants.

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INDEMNIFICATION AGREEMENT

This Indemnification Agreement (this "Agreement") is made by and between the City and County of San Francisco, a charter city and county (the "City") and each of the persons listed on the signature pages of this Agreement under the title "Indemnified Persons" (each an "Indemnified Person").

Whereas, on August 6, 1992, agents of the owners of the San Francisco Giants National League Baseball franchise (the "Franchise") reportedly entered into an agreement to sell the Franchise to a group of purchasers who intend to relocate the Franchise to St. Petersburg, Florida (the "Florida Investors") before the start of the 1993 Major League baseball season; and

Whereas, any transaction to sell the Franchise must be approved by the owners (the "Major League Owners") of the American and National Leagues of Professional Baseball Clubs (the "Major Leagues") and by the Commissioner of Baseball; and

Whereas, in response to the encouragement of the Commissioner of Baseball, the Mayor of the City (the "Mayor") has asked local business leaders to assist the City in retaining the Franchise in the City by assembling an investor group that would be willing and able to purchase the Franchise; and

Whereas, the rules of the Major Leagues require that any investor seeking to purchase a Major League franchise agree to indemnify the member clubs of the Major Leagues and the Major League Owners from liabilities arising from such a purchase or the approval of such a purchase; and

GJ
9/14/92

Whereas, it is in the best interests of the City that the Franchise be retained in San Francisco and the Indemnified Persons have informed the Mayor that under certain conditions they would be willing to attempt to purchase the Franchise with the intention of keeping it in San Francisco; and

Whereas, the Indemnified Persons have informed the Mayor that they will not participate in the investor group or sign the indemnity agreement required by the Major Leagues for the Major Leagues to consider an offer to purchase the Franchise unless the City agrees to certain indemnities for each Indemnified Person; and

Whereas, the Board of Supervisors has reviewed and approved this Agreement pursuant to Resolution 774-92, adopted September 14, 1992.

Now, therefore, in consideration of the respective agreements made and described in this Agreement, the City and each Indemnified Person (the "Parties") agree as follows:

1. Indemnification by City. Subject to the limitations contained in Paragraph 2 of this Agreement, the City agrees to defend, indemnify, protect and hold harmless ("Indemnify") each Indemnified Person from and against any and all claims, demands, losses, damages, liens, liabilities, penalties, fines, decrees, lawsuits and other proceedings, judgments and awards rendered therein, and reasonable costs and expenses ("Losses") arising directly or indirectly, in whole or in part, out of any claims or litigation threatened or brought against any Indemnified Person on account of the actions taken by any Indemnified Person or any of his or her agents in response to the request by the Mayor to assist the City in preparing and making the proposed offer to purchase the Franchise and acquiring the Franchise pursuant thereto.

2. Limitations. The obligation of the City under this Agreement to Indemnify each Indemnified Person is subject to the following conditions and limitations.

a. The City shall Indemnify an Indemnified Person only for Losses arising from (i) allegations of interference with contractual relations, interference with prospective advantage, and similar allegations of interference with the rights of third persons to acquire an interest in the Franchise or to obtain benefits through the transfer of the Franchise, and (ii) arising from any indemnity agreement entered into by the Indemnified Person provided that the Indemnified Person's execution of the indemnity agreement is requested in writing by the Mayor after review of the agreement by the City Attorney.

b. The City shall not Indemnify any Indemnified Person for any attorneys' fees or any services provided by legal counsel, other than the Office of the City Attorney, for any Indemnified Person without the approval of the Board of Supervisors of the City, which approval may be withheld, limited or conditioned by the Board for any reason and in its sole discretion; provided, however, that if the Office of the City Attorney does not represent or is ethically disabled or otherwise legally unable to represent one or more Indemnified Person, then the City shall provide alternative counsel reasonably acceptable to the Indemnified Person, subject to the reasonable approval of the Board of Supervisors of the terms of compensation of such counsel.

GJ
9/14/92

c. The City shall not Indemnify any Indemnified Person for any Losses arising out of his or her actions or the actions of his or her agents taken after either of the following occurs: (i) the Mayor notifies the Indemnified Person in writing that the Mayor no longer desires that the Indemnified Person assist the City in preparing and making an offer to purchase the Franchise, or (ii) some or all of the Indemnified Persons acquire an interest in the Franchise.

d. The City shall not Indemnify any Indemnified Person who does not provide the City with a Representation Letter substantially in the form of Attachment A to this Agreement, nor shall the City Indemnify an Indemnified Person if any of the representations or covenants made by that Indemnified Person in the Representation Letter are not true and correct and do not remain true and correct in all material respects.

e. The City shall not Indemnify any Indemnified Person unless the City receives a Counsel's Letter from counsel for that Indemnified Person substantially in the form of Attachment B to this Agreement.

f. The City shall not Indemnify any Indemnified Person for Losses arising out of claims made or threatened by another Indemnified Person.

g. The City shall not Indemnify any Indemnified Person who does not (i) promptly notify the Office of the City Attorney of any claim or litigation which is threatened or brought against that Indemnified Person and which is covered by the City's Indemnification obligation under this Agreement, or (ii) cooperate with reasonable requests by the City or its agents to prepare for and assist in the defense of claims against the City or that Indemnified Person arising under this Agreement or out of the request by the Mayor to assist the City in preparing and making the proposed offer to purchase the Franchise.

h. The City shall have the right to take any action that it deems appropriate to defend any claim or lawsuit, including, without limitation, the right to pay or otherwise settle with other persons for or in the name of any Indemnified Person, or to pursue any litigation to final determination, including the right of appeal.

3. Attorneys' Fees. If any dispute arises between the Parties concerning the enforcement of any provision of this Agreement, the prevailing Party in that dispute shall be entitled

to attorneys' fees, including attorneys' fees incurred on any appeal, and, to all other reasonable costs and expenses incurred in connection with such action and appeals. For purposes of this Agreement, reasonable fees of attorneys of the City's Office of City Attorney shall be based on the fees regularly charged by private attorneys with an equivalent number of years of professional experience in the subject matter area of the law for which the City Attorney's services were rendered and who practice in the City in law firms with approximately the same number of attorneys as employed by the Office of City Attorney.

4. Miscellaneous.

a. This Agreement and the Representation Letters and Counsel's Letters contain all the representations and the entire agreement between the Parties with respect to the Indemnification obligation of the City. Any prior correspondence, memoranda, understandings or agreements are superseded in total by this Agreement. No prior drafts of this Agreement or changes from those drafts to the executed version of the Agreement or resolutions of intentions to modify or to adopt this Agreement shall be introduced as evidence in any litigation or other dispute resolution proceeding by any Party or other person and no court or other body should consider those drafts or resolutions in interpreting this Agreement.

b. Although certain provisions of this Agreement were drawn by City and certain provisions were drawn by the Indemnified Persons, the provisions of this Agreement shall be construed as a whole according to their common meaning and not strictly for or against any Party, in order to achieve the objectives and purposes of the Parties. Any caption is included only for convenience of reference and shall be disregarded in the construction and interpretation of this Agreement. Wherever required by the context, the singular shall include the plural and vice versa and the masculine gender shall include the feminine or neuter genders, or vice versa.

c. This Agreement, and the rights and obligations of the Parties, shall be governed by and interpreted in accordance with the laws of the State of California. This Agreement has been made in the City and any lawsuit to interpret or enforce it shall be brought in the state or federal courts located in the City.

d. For convenience, the signatures of the Parties to this Agreement may be executed and acknowledged on separate

pages which, when attached to this Agreement, shall constitute this as one complete Agreement.

e. If any dispute arises between the Parties relating to this Agreement, prior to initiating litigation over such dispute, the Parties to the dispute will attempt in good faith to resolve the dispute through confidential alternative dispute resolution methods, including without limitation, mediation or nonbinding arbitration.

f. No elective or appointive board, commission, officer, agent or employee of City shall be personally liable upon any of the obligations of City under this Agreement.

5. Effective Date. This Agreement shall be effective as to each Indemnified Person as of the date set forth opposite the Indemnified Person's signature on the signature pages of this Agreement.

CITY AND COUNTY OF SAN FRANCISCO,
a charter city and county

September 14, 1992

FRANK JORDAN
Mayor

JOHN TAYLOR
Clerk of the Board of Supervisors

APPROVED AS TO FORM
LOUISE H. RENNE, City Attorney

Deputy City Attorney

SIGNATURE PAGE
TO
INDEMNIFICATION AGREEMENT

By and Between the City and County of San Francisco
and
The Indemnified Persons Listed Below

	INDEMNIFIED PERSONS
September __, 1992	_____
September __, 1992	_____
September __, 1992	_____
September __, 1992	_____
September __, 1992	_____
September __, 1992	_____
September __, 1992	_____
September __, 1992	_____
September __, 1992	_____

FORM OF REPRESENTATION LETTER

September __, 1992

Hon. Frank Jordan
Mayor
City and County of San Francisco
City Hall, Room 200
San Francisco, CA 94102

RE: Giants Franchise Purchase Indemnification Agreement

Dear Mayor Jordan:

I am writing this letter pursuant to Paragraph 2.d. of that certain Indemnification Agreement (the "Agreement") by and among the City and County of San Francisco and certain prospective investors, including myself, in a partnership whose purpose is to acquire the San Francisco Giants National League franchise. The capitalized terms used in this letter have the meaning given in the Agreement. This letter is provided to you in consideration of and as an inducement to the City's offer of Indemnification set forth in the Agreement. I am aware that if I make any material misrepresentation in this letter or if I materially breach any covenant contained in this letter, the City will not be obligated to provide me with the Indemnification otherwise available to me under the Agreement.

I represent and warrant to you that each of the following statements is true and correct and will continue to be true and correct until either (i) you inform me in writing at the address listed below my signature that you no longer desire that I assist you and the City in preparing and making an offer to purchase the Franchise, or (ii) some or all of the Indemnified Persons acquire an interest in the Franchise:

1. I have come forward to participate in a venture to acquire the Franchise and retain it in San Francisco because of your request;

2. At no time since the announcement by the San Francisco Giants of their agreement, subject to Major League approval, to sell the Franchise to the Florida Investors have I engaged in any substantive communications (other than with the knowledge of you or your representatives) regarding that sale or the possible sale of the Franchise to any other person, with Robert Lurie, with any other representative of the San Francisco Giants, with any of the Florida Investors or any of their representatives, or with any of the Major

League Owners or any of their representatives;

3. I have not made or caused to be published any disparaging remarks or statements concerning any of the Florida Investors; and

4. I have not authorized any other person to engage in any of the communications described in the two preceding subparagraphs and I have no knowledge of any person who has engaged in any such communications on my behalf or on behalf of any other Indemnified Person (except, as to communications described in subparagraph 2, communications known to you or to your representatives).

In addition, I covenant that during the time period set forth in the preceding paragraph:

1. I will not engage in any of the communications described in subparagraphs 2 and 3 above, and that I will direct my representatives and agents not to engage in any such communications without the approval of you or your representatives; and

2. I will not enter into any contract under which Losses could arise for which I would have a right of Indemnification from the City, unless you have requested in writing my execution of the contract and the City Attorney has reviewed the contract.

I understand that the City has relied on the representations, warranties and covenants made by me in this letter, and that but for these representations, warranties and covenants the City would not have agreed to Indemnify me as provided in the Agreement.

_____
[INDEMNIFIED PERSON]

ADDRESS: _____
_____
_____

DISCUSSION DRAFT
FOR BOARD OF SUPERVISORS REVIEW

FORM OF COUNSEL'S LETTER

September __, 1992

Hon. Frank Jordan
Mayor
City and County of San Francisco
City Hall, Room 200
San Francisco, CA 94102

RE: Giants Franchise Purchase Indemnification Agreement

Dear Mayor Jordan:

On Friday, September 4, 1992, you announced that a group of investors led by Walter Shorenstein and Peter Magowan, were prepared to join with George Shinn in making an offer to purchase the San Francisco Giants when appropriate to do so (Collectively, the S.F. Investors"). As you know, the Florida group (collectively the "Florida Investors") that proposes to purchase the Giants from the Giants' owners has threatened litigation against anyone who acts to interfere with their purchase of the Giants or their efforts to relocate the team to Florida.

_____, our client, is one of the S.F. Investors and has acted in this endeavor on behalf of the local community at the express request of you and other local leaders. As a result, he (she) has requested that the City and County of San Francisco indemnify him (her) against liability for damages and expenses in connection with litigation that may result from his (her) efforts to keep the Giants in San Francisco. For its part, the City and County has sought some reassurance that _____ _____ has not engaged in wrongful conduct or wrongfully interfered with the purported contract between the Giants' owners and the Florida Investors. We are pleased to provide such assurance on behalf of _____.

We have acted as counsel to _____, a role which has included advice as to his (her) rights and obligations respecting the purported contract between the Giants' owners and the Florida Investors. To the best of our knowledge, _____ _____ has scrupulously avoided any conduct that might fairly be characterized as tortious interference in any contractual relationship between the Giants' owners and the Florida Investors. As a result, we are confident that _____ should prevail in any lawsuit alleging such interference.

Adopted - Board of Supervisors, San Francisco September 14, 1992

Ayes: Supervisors Achtenberg Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Alioto Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Jean Lum
Acting Clerk

SEP 14 1992
Date Approved

Frank M. Jordan
Mayor

File No.
252-92-3

FILE NO. 1-92-36 RESOLUTION NO. 775-92

LA

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Mayor Frank Jordan, September 5 - 8;
Angela Alioto, member, Board of Supervisors, September 12 - 16;
Louise Renne, City Attorney, September 7 - 10;
David Detrick, member, Police Commission, August 26 - 30, September 24 - 27 and October 8 - 13;
John A. Ertola, President, Fire Commission, September 8 - 14;
Steve Heminger, member, Parking and Traffic Commission, September 12 - 16;
James K. Ho, member, Airports Commission, September 1 - 9;
Edwin Lee, Director, Human Rights Commission, September 16 - 23;
Charles D. Morrow, member, Fire Commission, September 4 - 8;
Patrick A. Murphy, President, Airports Commission, August 25 - 27;
Anthony Rodriguez, member, Police Commission, September 8 - 18;
Manuel A. Rosales, member, Parking and Traffic Commission, September 28 - October 5;
Albert C. Walker, General Manager, Civic Service Commision, September 7 - 9, 1992.

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Adopted on date of introduction
Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Conroy Gonzalez Hallinan Hsieh Kennedy Shelley

Absent: Supervisors Alioto Britt Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 1-92-36

SEP 11 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 6-92-18 RESOLUTION NO. 774-92

[Commendation]

HONORING H. MARCIA SMOLENS ON HER 50TH BIRTHDAY.

WHEREAS, On the 15th day of September, 1992, H. Marcia Smolens will cross the half century mark.

WHEREAS, Ms. Smolens arrived in San Francisco in 1971 in the summers frost and through a set of serendipitous circumstances remained and went on to found HMS Associates in 1977 beginning her tenure as both citizen and activist of San Francisco.

WHEREAS, We recognize the effort of Ms. Smolens in bringing women and minorities into the political arena from her beginnings as staff for the Feinstein for Mayor campaign in 1971 to her later achievements with the Commission on the Status of Women, La Raza Centro Legal, National Junior Tennis League, President of the California Abortion Rights Action League, and the National Jewish Democratic Council, National Executive Committee.

WHEREAS, We the San Francisco Board of Supervisors want to commemorate this important event in the life of one of San Francisco's most committed citizens; now, therefore be it

RESOLVED, That because of her unswerving and unflinching awareness of the delicate balance between Sports, Politics and Chocolate and in recognition of the recitation above, we do unanimously wish a most happy 50th Birthday to Ms. H. Marcia Smolens.

Supervisor Carole Migden, Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley

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Adopted on date of introduction
Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Conroy Gonzalez Hallinan Hsieh Kennedy Shelley

Absent: Supervisors Alioto Britt Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 6-92-18

SEP 11 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-43 RESOLUTION NO. 777-92

[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF LEIDESDORFF STREET.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Leidesdorff Street, between Commercial and Halleck Streets on Thursday, September 10, 1992, 6:00 p.m. until Friday, September 11, 1992, 11:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Leidesdorff Street, between Commercial and Halleck Streets on Thursday, September 10, 1992, 6:00 p.m. until Friday, September 11, 1992, 11:00 p.m. for filming of motion picture "Joyride" by Warner Brothers;;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR SHELLEY

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Conroy Gonzalez Hallinan Hsieh Kennedy Shelley

Absent: Supervisors Alioto Britt Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 42-92-43

SEP 11 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 42-92-41 RESOLUTION NO. 728-92

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[Street Closing]
AUTHORIZING TEMPORARY CLOSING OF A PORTION OF KEARNY AND PACIFIC STREETS.

WHEREAS, The Director of the Department of Parking and Traffic received an application for the temporary closing of a portion of Kearny Street, between Broadway and Pacific Streets and Pacific Street, between Kearny and Montgomery Streets on Sunday, September 20, 1992, from 11:00 a.m. until 12:30 p.m. for staging area for parade sponsored by American Brotherhood Aimed Towards Education;

WHEREAS, The request was received too late to handle pursuant to the provisions of Section 2.70-1 of the San Francisco Administrative Code; and

WHEREAS, The Department of Parking and Traffic, Division of Traffic Engineering, the Fire Department, the Police Department, the Municipal Railway, the Department of City Planning and the Department of Public Health have no objection to the proposed temporary street closing; now, therefore, be it

RESOLVED, That permission is granted to close to vehicular traffic the following street; provided, however, that intersections remain open:

Kearny Street, between Broadway and Pacific Streets, and Pacific Street between Kearny and Montgomery Streets on Sunday, September 20, 1992, from 11:00 a.m. until 12:30 p.m. for staging area for parade sponsored by American Brotherhood Aimed Towards Education;

and, be it

FURTHER RESOLVED, That at all times during the period authorized for the temporary closing and occupancy of said streets, such permission is granted subject to those conditions contained in Article VIII, Chapter 2, of the San Francisco Administrative Code, pertaining to the Temporary Use or Occupancy of Public Streets.

SUPERVISOR KENNEDY

BOARD OF SUPERVISORS

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Adopted on date of introduction
Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Conroy Gonzalez Hallinan Hsieh Kennedy Shelley

Absent: Supervisors Alioto Britt Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 42-92-41

SEP 11 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 6-92-16 RESOLUTION NO. 779-92

[BAY AREA RAPID TRANSIT]

COMMENDING BART FOR TWENTY YEARS OF SERVICE.

WHEREAS, The Bay Are Rapid Transit System is the acknowledged pioneer in the resurgence of rail systems across the United States, having ended a 60 year decline in the building of such systems in 1962; and

WHEREAS, The residents of Alameda, Contra Costa and San Francisco Counties in 1962 voted for BART, stemming the proliferation of highways and freeways that threatened the environment of the San Francisco Bay region; and

WHEREAS, The three-county BART district has again pledged its support of expanding the BART system, committing some $2 billion in bond funds and other revenue sources to extend rails and build another 12 stations on both sides of the Bay; and

WHEREAS, BART trains providing a quarter of a million passenger trips per day are the dominant thread in the transportation fabric of the region, enhancing air quality and allowing for orderly development around its stations; now, therefore, be it

RESOLVED, That the City and County of San Francisco hereby commends BART for its 20 years of service to the Bay Area; and, be it further

RESOLVED, That the Board of Supervisors recognizes the contributions BART has made to the furtherance of public mass transportation.

SUPERVISOR SHELLEY August 25, 1992

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Conroy Gonzalez Hallinan Hsieh Kennedy Shelley

Absent: Supervisors Achtenberg Alioto Britt Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 6-92-16

SEP 16 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 7-92-5 RESOLUTION NO. 780-92

[Public Transportation]

APPROVING PARTIAL DISCONTINUANCE OF EXPRESS PORTION OF MUNICIPAL RAILWAY LINE 82X-CALTRAIN LEVI PLAZA EXPRESS.

WHEREAS, the Board of Supervisors is in receipt of Public Utilities Commission Resolution No. 92-0231 adopted AUGUST 11, 1992, which Resolution reads as follows:

WHEREAS, The Municipal Railway currently operates line 82X-CalTrain Levi Plaza Express between the CalTrain Depot and the Presidio via Levi Plaza; and

WHEREAS, The current route for the 82X-line in the express portion of its route is partially on Bay, Columbus and North Point; and

WHEREAS, The left turn from southbound Columbus onto eastbound Bay has now been prohibited during all hours; and

WHEREAS, The only passenger stop in this portion of the route is at Bay and Powell; and

WHEREAS, the Traffic Engineering Bureau of the Department of Parking and Traffic considers that a Muni exception to the "No Left Turn" restriction would be a traffic hazard; and

WHEREAS, The 42-Downtown Loop line currently operates on North Point between Columbus and The Embarcadero and on The Embarcadero between North Point and Bay; and

WHEREAS, A temporary emergency reroute has been in effect for several months; now, therefore, be it

RESOLVED, That this Commission hereby directs the Municipal Railway to discontinue the express portion of the 82X-line on Bay between The Embarcadero and Columbus, and on Columbus between Bay and North Point; and be it further

RESOLVED, That this Commission hereby directs the Municipal Railway to reroute the express portion of the 82X-line onto The Embarcadero between Bay and North Point and onto North Point between The Embarcadero and Columbus in both directions; and be it further

RESOLVED, That a passenger stop be implemented in a location close to the existing stop at Bay and Powell using an existing 42-line stop; and be it further

RESOLVED, That this Commission respectfully requests the Board of Supervisors, in accordance with Section 3.595 of the City Charter, not to disapprove the aforementioned changes in service.

now, therefore, be it

RESOLVED, that this Board of Supervisors does hereby approve the partial discontinuance of line 82X-CalTrain Levi Plaza Express in the express portion of the route.

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Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

File No.
7-92-5

SEP 16 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 25-92-27 RESOLUTION NO. 781-92

CC

(Agreement)

CONCURRING WITH THE CONTROLLER'S CERTIFICATION THAT INTAKE AND SHELTER SERVICES TO STATUS OFFENDERS CAN BE PRACTICALLY PERFORMED BY PRIVATE CONTRACTOR FOR LOWER COST THAN SIMILAR WORK SERVICES PERFORMED BY CITY AND COUNTY EMPLOYEES.

WHEREAS, The electorate of the City and County of San Francisco passed Proposition "J" in November 1976, adding Section 8.300-1 to the Charter allowing City Departments to contract with private companies for specific services which can be practically performed for a lower cost than similar work by City and County employees; and

WHEREAS, The Juvenile Probation Department has sought and received a formal bid from a San Francisco non-profit child care agency and wishes to contract for intake and shelter services to status offenders; and

WHEREAS, the Controller has certified that said services be performed at lower cost to the City and County than by employees of the City and County; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby concurs with the Controller's certification and approves that the Juvenile Probation Department may contract for intake and shelter services to status offenders for fiscal year 1992-93.

RECOMMENDED:

James E. Loyce, President
Juvenile Probation Commission

Juvenile Probation Department

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Britt Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 25-92-27

SEP 16 1992
Date Approved

Mayor

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FILE NO. 38-92-23 RESOLUTION NO. 782-92

(Gift - (Private))

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, LAGUNA HONDA HOSPITAL & REHABILITATION CENTER, TO ACCEPT AND EXPEND A GIFT VALUED AT $15,908.00 FROM RAMCO EQUIPMENT FOR USE BY PLANT SERVICES EMPLOYEES TO MAINTAIN AND IMPROVE THE QUALITY OF LIFE FOR THE HOSPITAL'S RESIDENTS; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

RESOLVED, that the Department of Public Health, Laguna Honda Hospital & Rehabilitation Center, is hereby authorized to accept and expend a gift valued at $15,908.00 from Ramco Equipment, for the maintenance and improvement of the quality of life for the residents of San Francisco who are patients at the Hospital; and, be it

FURTHER RESOLVED, that although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Public Health

APPROVED:

Health Commission

PUBLIC HEALTH
BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Britt Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 38-92-23

SEP 16 1992
Date Approved

Mayor

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AMENDMENT OF THE WHOLE
8/31/92

FILE NO. 54-92-4 RESOLUTION NO. 783-92

[Accessibilty for the Disabled]

REQUESTING THE CLERK OF THE BOARD TO RESEARCH OPTIONS IN ASSISTIVE LISTENING DEVICES AND REPORT BACK TO THE BOARD IN ONE MONTH, AND TO MAKE THE BOARD AND COMMITTEE MEETINGS ACCESSIBLE TO PERSONS WITH HEARING IMPAIRMENTS BY INSTALLING ASSISTIVE LISTENING DEVICES WITHIN TWO MONTHS.

WHEREAS, There are active and contributing members of our community who are now excluded from Board of Supervisors meetings and committee meetings; and

WHEREAS, The Americans with Disabilities Act, in effect since January 26, 1992, mandates that all programs, services, and activities of public entities be accessible to those with disabilities ; now, therefore, be it

RESOLVED, That the Clerk of the Board of Supervisors of the City of County of San Francisco shall research options in assistive listening devices and report back to the Board in one month; and be it

FURTHER RESOLVED, That the Board of Supervisors chambers and committee rooms will be made accessible to hearing impaired persons within two months.

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HALLINAN

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 54-92-4

SEP 16 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 82-92-7 RESOLUTION NO. 784-92

[Acceptance of Deed]

ACCEPTING A DEED FROM NIHONMACHI PARKING CORPORATION TO A SEWER EASEMENT IN ASSESSOR'S BLOCK 686 AND ADOPTING THE FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

RESOLVED, That in accordance with the Disposition Agreement between the Redevelopment Agency of the City and County of San Francisco and the Nihonmachi Community Development Corporation, an easement deed for a sewer across a portion of Assessor's Block 686 is hereby accepted together with the sewer improvements which will be constructed thereon from said Nihonmachi Community Development Corporation AKA Nihonmachi Parking Corporation at no cost and said sewer is hereby accepted by the Department of Public Works which department shall be responsible for the maintenance of said sewer.

The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning, in its letter dated July 17, 1992, that the acceptance of said sewer easement is consistent with the eight priority policies of City Planning Code Section 101.1.

RECOMMENDED:

Director of Public Works

Director of Property

C:\WP51\DATA\6RES1481.LEO

RECOMMENDED:

Deputy Director of Engineering and City Engineer (928-1042)

(Real Estate)

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Britt Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 82-92-7

SEP 16 1992
Date Approved

Mayor

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FILE NO. 89-92-14 RESOLUTION NO. 785-92

CC

(State Disability Insurance)

AUTHORIZING ENROLLMENT OF CLASSIFICATIONS 4212 CHIEF OF TECHNICAL SERVICES, 6116 SUPERVISING WASTEWATER CONTROL INSPECTOR AND 9393 SALES MANAGER, CARGO SERVICES DIVISION IN THE STATE DISABILITY INSURANCE PROGRAM.

WHEREAS, Unemployment Insurance Code Section 710.5 allows a public agency to elect to provide State Disability Insurance coverage to certain employees; and

WHEREAS, the following classifications are eligible to be included in the State Disability Insurance Program;

4212 Chief of Technical Services

6116 Supervising Wastewater Control Inspector

9393 Sales Manager, Cargo Services Division

WHEREAS, A petition has been received by the Employee Relations Division from the majority of employees in these classifications requesting inclusion in the SDI program; and

WHEREAS, The City and County of San Francisco is desirous of permitting the employees in question to become enrolled in the SDI program at the employees' cost; now, therefore, be it

RESOLVED, That the Employee Relations Division is hereby directed to take the necessary actions to enroll the employees in question in the SDI program.

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Britt Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 89-92-14

SEP 16 1992
Date Approved

Mayor

BOARD OF SUPERVISORS

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FILE NO. 92-92-29.2

AMENDMENT OF THE WHOLE
AS AMENDED IN COMMITTEE
8/31/92

RESOLUTION NO. 782-92

8/31/92
grh

[Removal of Members - City-Wide Alcoholism Advisory Board]

APPROVING THE REMOVAL OF TWO MEMBERS FROM THE CITY-WIDE ALCOHOLISM ADVISORY BOARD PURSUANT TO CALIFORNIA HEALTH AND SAFTEY CODE, SECTION 11807(d).

WHEREAS, The attendance record of Alonzo Gallaread as a member of the City-Wide Alcoholism Advisory Board for the appointment year July 1,1991 to June 30, 1992 is such that it falls under the provisions for recommending his removal from membership within the By-Laws of the City-Wide Alcoholism Advisory Board; and

WHEREAS, The attendance record of Gonzalo Gonzalez as a member of the City-Wide Alcoholism Advisory Board for the appointment year July 1,1991 to June 30,1992 is such that it falls under the provisions for recommending removal from membership within the By-Laws of the City-Wide Alcoholism Advisory Board; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby approve the removal from the membership on the City-Wide Alcoholism Advisory Board the hereinafter designated members pursuant to the provisions of the California Health and Safety Code, Section 11807 (d):

8/31/92
grh

Alonzo Gallaread (term to expire June 1993)
Gonzalo Gonzalez (term to expire June 1994)

SUPERVISOR HALLINAN
BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
92-92-29.2

SEP 16 1992
Date Approved

Frank M. Jordan
Mayor

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FILE NO. 94-92-6 RESOLUTION NO. 787-92

GJ
9/2

(GRANT-STATE FUNDS)

RESOLUTION AUTHORIZING THE PUBLIC UTILITIES COMMISSION TO APPLY FOR, ACCEPT, AND EXPEND $14,788,500 FROM 1993-94 STATE TRANSIT CAPITAL IMPROVEMENT FUNDS AND $14,788,500 FROM LOCAL MATCH FUNDS TO PROVIDE FINANCING FOR NINE MUNICIPAL RAILWAY GUIDEWAY PROJECTS; PLACING $16,605,050 ON RESERVE.

WHEREAS, The State Constitution under Article XIX makes available funds for fixed guideway transit capital improvements from State Highway Account monies; and

WHEREAS, The State Constitution, pursuant to the Clean Air and Transportation Act of 1990 (Proposition 116), makes transit capital funding available through the Transportation Planning and Development Account; and

WHEREAS, The Governor and the Legislature may make additional transit capital funding available, using resources from the Petroleum Violation Escrow Account and/or the Kopp-Katz-Baker Transportation Blueprint for the Twenty-First Century (Proposition 111); and

WHEREAS, The proposed application includes the following nine projects:

1 Construction funds for the MUNI Metro Turnback

2. Rehabilitation funds to renovate Articulated diesel coaches to extend their economic life

3. Funds for replacing the aged standard-sized trolleys with new trolleys

4. Funds to reconstruct worn overhead underground and motive power components for the 14-MISSION.

5. Funds to improve MUNI Metro accessibility.

6. Design and right-of-way acquisition funding for Metro East LRV Facility.

7. Renovation funds for the Cable Car Fleet.

8. Renovation funds for the historic streetcars.

9. Funds to purchase New Generation LRVs.

WHEREAS, These projects all ranked high in the Municipal Railway Short Range Transit Plan and Capital Improvement Program, and the Regional and State Transportation Improvement Programs; and

WHEREAS, All of the projects in this application address serious transportation problems in San Francisco's transit system and are ready for funding in the next fiscal year; and

WHEREAS, Under SB 2800, the PUC may seek approval from the State to expend local match funds in advance of full funding; and

WHEREAS, The Metropolitan Transportation Commission provides local match funds from TDA, AB 1107 resources, AB 664 Bridge Toll funds, Regional Measure One Bridge Tolls, and State Transit Assistance funds to high priority projects in the regional transit capital plan; and

WHEREAS, The Board of Supervisors provides local match funds from the Transit Impact Development Fees to high priority projects in the MUNI capital improvement program; and

WHEREAS, The San Francisco Municipal Railway Improvement Corporation provides local match funds from the Corporation's resources to high priority projects in the MUNI capital improvement program; and

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WHEREAS, The Transportation Authority provides local match funds from the Transportation Sales Tax Revenues to high priority projects in the MUNI capital improvement program; now, THEREFORE, be it

RESOLVED, That the Public Utilities Commission is hereby authorized to apply for, accept, and expend $14,788,500 from 1993-94 State Transit Capital Improvement (TCI) funds and $14,788,500 from such regional and local matching fund sources as Clean Air and Transportation Act of 1990 Bond funds, State Transit Assistance funds, Transportation Development Act funds, AB 1107 funds, AB 664 funds, Regional Measure One Bridge Tolls, Transit Impact Development Fees, Transportation Sales Tax Revenues, and/or the San Francisco Municipal Railway Improvement Corporation funds for the above listed Municipal Railway projects, as detailed below;

Project Engineering/Construction Management		$1,545,875
Professional Services		3,138,250
Construction		2,676,800
Equipment Purchases		11,850,000
Equipment Rehabilitation		1,714,400
Indirect Costs		651,675
Purchase of Right-of-Way		8,000,000
	TOTAL	$29,577,000
State TCI Grant		$14,788,500
Local Match		$14,788,500

and be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to seek State approval to expend local match funds in advance of receipt of full funding; and be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to furnish whatever additional information that might be requested by the funding agencies in connection with this grant request; and be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to execute fund transfer agreements with the State of California Department of Transportation to accept these funds; and, be it

GJ 9/2

FURTHER RESOLVED, That funds in the amount of $16,605,050 ($574,750 for professional services, $2,676,800 for construction, $11,679,000 for equipment purchase, and $1,674,500 for equipment rehabilitation) are hereby placed on reserve, pending identification of the contractors, the determination of their MBE/WBE status and finalization of contract cost details, to be released by the Finance Committee.

RECOMMENDED:

FRANK JORDAN, MAYOR

EDWARD HARRINGTON
CONTROLLER

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Britt Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 94-92-6

SEP 16 1992
Date Approved

Mayor

FILE NO. 94-92-7 (Grant Federal Funds)

RESOLUTION NO. 788-92

AUTHORIZING THE PUBLIC UTILITIES COMMISSION TO APPLY FOR, ACCEPT, AND EXPEND $7,574,454 IN FEDERAL SECTION 9 OPERATING ASSISTANCE, $25,000,000 OF FEDERAL SECTION 3 FIXED GUIDEWAY CAPITAL ASSISTANCE, $4,974,542 OF FEDERAL SECTION 9 CAPITAL ASSISTANCE, $12,400,000 OF FEDERAL SURFACE TRANSPORTATION PROGRAM/CONGESTION MANAGEMENT AIR QUALITY CAPITAL ASSISTANCE, AND $10,530,276 FROM VARIOUS LOCAL MATCH SOURCES SUCH AS FROM STATE TRANSIT CAPITAL IMPROVEMENT FUNDS, STATE URBAN RAIL BOND FUNDS, STATE CLEAN AIR AND TRANSPORTATION IMPROVEMENT ACT BOND FUNDS, REGIONAL LOCAL MATCH FUNDS SUCH AS STATE TRANSIT ASSISTANCE FUNDS, TRANSPORTATION DEVELOPMENT ACT FUNDS, BRIDGE TOLL NET REVENUES, REGIONAL MEASURE ONE FUNDS, GAS TAX REVENUES, TRANSIT IMPACT DEVELOPMENT FEES, SAN FRANCISCO MUNICIPAL RAILWAY IMPROVEMENT CORPORATION FUNDS, THE SAN FRANCISCO COUNTY SALES TAXES, PORT OF SAN FRANCISCO FUNDS, AND/OR CATELLUS CORPORATION FUNDS FOR SEVEN MUNICIPAL RAILWAY PROJECTS; PLACING $38,111,645 ON RESERVE.

GJ 9/2

WHEREAS, The Secretary of Transportation is authorized to make monies available pursuant to the Intermodal Surface Transportation and Efficiency Act of 1991 for mass transportation projects; and

WHEREAS, The Public Utilities Commission, City and County of San Francisco, is an eligible claimant for capital assistance projects pursuant to the Section 3 Fixed Guideway Program included in the Intermodal Surface Transportation and Efficiency Act of 1991; and

WHEREAS, The Public Utilities Commission, City and County of San Francisco, is an eligible claimant for operating subsidies and capital assistance projects pursuant to Section 9 of the Intermodal Surface Transportation and Efficiency Act of 1991; and

WHEREAS, The Public Utilities Commission, City and County of San Francisco, is an eligible claimant for flexible capital assistance projects pursuant to the Surface Transportation Program included in the Intermodal Surface Transportation and Efficiency Act of 1991; and

WHEREAS, The Public Utilities Commission, City and County of San Francisco, is an eligible claimant for flexible capital assistance projects pursuant to the Congestion Management Air Quality Program included in the Intermodal Surface Transportation and Efficiency Act of 1991; and

WHEREAS, The grant contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS, The local share of project costs can be funded through a variety of sources including State Transit Capital Improvement Funds, State Urban Rail Bond Funds, State Clean Air and Transportation Improvement Act Bond Funds, State Transit Assistance Funds, State Transportation Development Act Funds, Bridge Toll Net Revenues, Regional Measure One Funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation Funds, San Francisco County Transportation Sales Taxes, Port of San Francisco Funds, and/or Catellus Corporation Funds; and

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WHEREAS, It is required by the U.S. Department of Transportation in accord with the provision of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for for federal assistance, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, It is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum possible opportunity to compete for contracts, supplies, equipment contracts, or consultant and other services; and

WHEREAS, Section 3 Fixed Guideway, Section 9, STP, and CMAQ are formula-apportioned resources that may be used for any eligible planning, capital, and operating purposes; and

WHEREAS, The Metropolitan Transportation Commission (MTC) is preparing a regional grant application for Section 3 Fixed Guideway, Section 9, STP, and CMAQ capital and operating assistance funding in FY93; and

WHEREAS, The MTC has allocated $7,574,454 in Section 9 operating assistance for 1992-93 Municipal Railway operations; and

WHEREAS, Operating assistance is already included in Muni's adopted budget; and

WHEREAS, The Municipal Railway's projects that are included in the regional grant application are high priority Municipal Railway capital improvements in the current Short Range Transit Plan; and

WHEREAS, The program of project costs are estimated as follows:

$ 7,574,454 - Operating Assistance
$48,868,458 - Construction/Purchase/TPA Contracts
$ 2,621,745 - In-House Design/Project Management/Rehab
$ 1,414,615 - Indirect Costs
$60,479,272 - Total Project Cost

now, THEREFORE be it

RESOLVED, That the Public Utilities Commission, is authorized to apply for, accept, and expend $7,574,454 in FTA Section 9 operating assistance, $4,974,542 in FTA Section 9 capital assistance, $25,000,000 in FTA Section 3 Fixed Guideway capital assistance, $12,400,000 in federal Surface Transportation Program/Congestion Management Air Quality capital assistance, regional, and $10,530,276 from state, regional, and local match funds such as State Transit Capital Improvement Funds, State Urban Rail Bond Funds, State Clean Air and Transportation Improvement Act Bond Funds, State Transit Assistance Funds, State Transportation Development Act Funds, Bridge Toll Net Revenues, Regional Measure One Funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation Funds, San Francisco County Transportation Sales Taxes, Port of San Francisco Funds, Catellus Corporation Funds for the following Municipal Railway projects: Operating Assistance, Muni Metro Turnback, Trolley Bus Purchase,

Trolley Overhead Reconstruction; 14-MISSION, Muni Metro Accessibility Improvements, Cable Car Vehicle Renovation, Light Rail Vehicle purchase, and Metro East Light Rail Vehicle Facility/Illinois Street Bridge; and, be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to execute and file an application on behalf of the City and County of San Francisco with the United States Department of Transportation to aid in the financing of planning, capital, and/or operating assistance projects pursuant to Section 3, Section 9, STP, and/or CMAQ program funding; and, be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to execute and file with such application an assurance or any other document required by the United States Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964; and, be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to furnish whatever additional information might be requested by the funding agencies in connection with this request; and, be it

FURTHER RESOLVED, That the Public Utilities Commission is authorized to set forth and execute affirmative disadvantaged business policies in connection with the project's procurement needs; and, be it

GJ 9/2

FURTHER RESOLVED, That funds in the amount of $38,111,645 ($76,031 for professional services, $37,173,924 for construction,

GJ 9/2

and $861,690 for equipment purchase) are hereby placed on reserve, pending identification of the contractors and the determination of their MBE/WBE/LBE status, and finalization of contract cost details, to be released by the Finance Committee.

RECOMMENDED
FRANK JORDAN
Mayor

(SEE FILE FOR DEPARTMENTAL SIGNATURES)

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
94-92-7

SEP 16 1992
Date Approved

Mayor

AS AMENDED IN COMMITTEE - 9/2/92

FILE NO. 141-92-2.1 RESOLUTION NO. 789-92

(Grant-Private Funding)

AUTHORIZING THE SAN FRANCISCO JUVENILE PROBATION DEPARTMENT TO ACCEPT AND EXPEND GRANT MONIES FROM THE SAN FRANCISCO FOUNDATION AND KAISER FAMILY FOUNDATION FOR THE DEVELOPMENT OF A MULTI-DISCIPLINARY ASSESSMENT INSTRUMENT, CLASSIFICATION SYSTEM AND WORKLOAD STUDY; WAIVING INDIRECT COSTS; PLACING $55,000 ON RESERVE.

GJ 9/2

WHEREAS, The San Francisco Juvenile Probation Department wants to develop a delinquency prevention model of services to youth which addresses the causes of juvenile crime and enhances public safety; and

WHEREAS, the basis of this model is dependent on the assessment of the needs of high risk youth utilizing a multi-disciplinary team approach; and

WHEREAS, the San Francisco Juvenile Probation Department wants to conduct a workload study and develop a risk assessment and classification system with a management information system designed to monitor its effectiveness; and

WHEREAS, the San Francisco Foundation and Kaiser Family Foundation would like to support the direct costs of developing a needs assessment instrument, classification system, workload study, and the San Francisco Juvenile Probation Department is, therefore, requesting that the indirect cost requirement be waived; and

WHEREAS, the San Francisco Juvenile Probation Department would like to accept and expend these funds for the development of an assessment instrument to identify high risk youth on probation and the treatment services they need to address the causes of delinquency; now, therefore, be it

Juvenile Probation Department

BOARD OF SUPERVISORS

RESOLVED, that the Board of Supervisors accepts, on behalf of the City and County of San Francisco and the San Francisco Juvenile Probation Department, the department's intent to accept and expend $25,000 from the San Francisco Foundation and $30,000 from the Kaiser Family Foundation, if granted; and, be it

FURTHER RESOLVED, that the Board of Supervisors does hereby waive indirect costs; and, be it

GJ 9/2

RECOMMENDED: Fred E. Jordan, Jr.
Chief Probation Officer

APPROVED OFFICE OF THE MAYOR

CONTROLLER'S OFFICE

GJ 9/2

FURTHER RESOLVED, that funds in the amount of $55,000 are hereby placed on reserve, pending the provision of contract budget details and the determination of the MBE/WBE status of the contractor, to be released by the Finance Committee.

Juvenile Probation Department

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
141-92-2.1

SEP 16 1992
Date Approved

Mayor

FILE NO 146-92-61 RESOLUTION NO 790-92

(Grant - State)

GJ 9/2

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO APPLY FOR, ~~ACCEPT, AND EXPEND~~ A GRANT ALLOCATION OF UP TO $12,414,697 FOR FISCAL YEAR 1992-93 FUNDING FROM STATE DEPARTMENT OF HEALTH SERVICES FOR CALIFORNIA HEALTHCARE FOR INDIGENTS PROGRAM (CHIP) FUNDS, WHICH INCLUDES INDIRECT COSTS IN THE AMOUNT OF $164,981, BASED ON 1.658646% OF COUNTY HOSPITAL AND OTHER HEALTH SERVICES CHIP ALLOCATIONS.

WHEREAS, the State of California passed the Tobacco Tax and Health Protection Act of 1988 (Proposition 99) and its implementing legislation including Assembly Bill 75 (Isenberg) and Assembly Bill 99 (Isenberg); and

WHEREAS, this act and legislation makes monies available to counties to reimburse hospitals, physicians, and other providers for uncompensated care cost, for making capital improvements, and for implementing data systems; and

WHEREAS, a significant part of this funding is to implement the California Healthcare for Indigents Program (CHIP) with its attendant funding; and

WHEREAS, a percentage of these CHIP funds are allowed for administrative and indirect costs; and

WHEREAS, a receipt of such funding requires a written application from the County Board of Supervisors along with the provision of a number of assurances concerning use of such funds; ~~and~~

GJ 9/2

GJ 9/2

~~WHEREAS, receipt of such funds will begin following approval of the application by the state;~~

BOARD OF SUPERVISORS

GJ 9/2

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby ~~on~~ authorize ~~behalf of~~ the Department of Public Health to apply ~~make application~~ for ~~and approve acceptance of, and does authorize the Department of Public Health to expend~~ California Healthcare for Indigent Program funds for Fiscal Year 1992-93 for up to $12,414,697 which includes indirect costs in the amount of $164,981, based on 1.658646% of County Hospital and Other Health Services CHIP allocations, along with the provision of a number of assurances concerning use of such funds, and approves the signing and executing by the Clerk of the Board of Supervisors of the application set forth in Board of Supervisors' file number 146-92-61 and incorporated herein by reference, between the governing body of the City and County of San Francisco and the State Department of Health Services.

RECOMMENDED:

Raymond J. Baxter, Ph.D.

APPROVED:

Health Commission

Teresa Serata
8/31/92

EDWARD HARRINGTON
CONTROLLER
By John Wheadon

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-61

SEP 16 1992

Date Approved

Mayor

FILE NO. 146-92-62 RESOLUTION NO. 791-92

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO APPLY FOR, ACCEPT, AND EXPEND A SUPPLEMENTAL GRANT OF $59,647, WHICH INCLUDES INDIRECTS COSTS OF $6,461 BASED ON 20% OF PERSONNEL COSTS, FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL TO SUPPLEMENT THE AIDS SURVEILLANCE PROJECT; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to apply for, accept, and expend a supplemental grant of $59,647, which includes indirect costs of $6,461 based on 20% of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to supplement the AIDS Surveillance Project for the residents of San Francisco; and, be it

FURTHER RESOLVED, That although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Public Health

EDWARD HARRINGTON
CONTROLLER
By

Jean M. Mariani
Mayor's Office

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
146-92-62

SEP 16 1992
Date Approved

Mayor

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FILE NO. 146-92-63 RESOLUTION NO. 792-92

CC

(Grant - Federal)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY PUBLIC HEALTH SERVICE, DEPARTMENT OF EPIDEMIOLOGY AND DISEASE CONTROL, STD CONTROL DIVISION, TO ACCEPT AND EXPEND AN AUGMENTATION GRANT OF $321,540 WHICH INCLUDES INDIRECT COSTS OF $34,072 BASED ON 20% OF PERSONNEL SALARIES, FROM THE CENTERS FOR DISEASE CONTROL FOR THE PROVISION OF STD SERVICES.

RESOLVED, that the Department of Public Health, Community Public Health Service, Department of Epidemiology and Disease Control, STD Control Division is hereby authorized to accept and expend an augmentation grant of $321,540, which includes indirect costs of $34,072 based on 20% of personnel salaries, from the Centers for Disease Control for the provision of STD services to the residents of San Francisco.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Jean M. Mariani
Mayor's Office

Public Health
BOARD OF SUPERVISORS

EDWARD HARRINGTON
CONTROLLER
By John W. Madden

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Britt Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
146-92-63

SEP 16 1992
Date Approved

Mayor

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FILE NO. 146-92-64 RESOLUTION NO. 793-92

CC

(Grant - State)

AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, AIDS OFFICE, TO ACCEPT AND EXPEND A CONTINUING ALLOCATION OF $3,000,000 FROM THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES TO CONTINUE FUNDING THE AIDS DRUG PROGRAM; WAIVING INDIRECT COSTS.

WHEREAS, The California Department of Health Services does not allow for indirect costs for this program; now, therefore be it

RESOLVED, That the Department of Public Health, AIDS Office, is hereby authorized to accept and expend a continuing allocation of $3,000,000 from the California Department of Health Services to continue funding the AIDS Drug Program for the residents of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors does hereby waive indirect costs.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Jean M. Mariani
Mayor's Office

EDWARD HARRINGTON
CONTROLLER
By

Public Health

06172adp.doc

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Conroy Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Britt Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 146-92-64

SEP 16 1992
Date Approved

Mayor

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FILE NO. 193-91-9 RESOLUTION NO. 794-92

[JOSE CORONADO PLAYGROUND]

URGING THE MAYOR TO URGE THE RECREATION AND PARK COMMISSION TO CHANGE THE NAME OF "FOLSOM PLAYGROUND" TO "JOSE CORONADO PLAYGROUND".

WHEREAS, Jose Coronado served the community through more than twenty years of service as a youth recreation organizer in the Mission district, particularly with those children that played at Folsom Playground at the intersection of Shotwell and Folsom Streets in San Francisco; and

WHEREAS, Jose Coronado organized children into soccer teams and took children himself to other city parks, and parks throughout the State of California to compete in soccer matches; and

WHEREAS, The dedication of Jose Coronado provided Mission youth with moral support and guidance which they may not have otherwise received in their lives; and

WHEREAS, It is fitting to honor and memorialize the significant contributions of Jose Coronado to the City that went far beyond duty; and

WHEREAS, Folsom Playground is located in the Mission district and a playground with a name of Hispanic origin would enhance the pride of Hispanic residents as participants in the City; and

///

Supervisors Gonzalez, Alioto

BOARD OF SUPERVISORS

WHEREAS, Jose Coronado died on May 29, 1991; and

WHEREAS, The San Francisco Board of Supervisors would like the City and County of San Francisco to honor the commitment to youth and recreational services of Jose Coronado by changing the name of "Folsom Playground" to "Jose Coronado Playground"; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the Mayor to urge the Recreation and Park Commission to recognize the significant contributions of Jose Coronado to the City and County of San Francisco through his work with youth as a recreation organizer for over twenty years by changing the name of "Folsom Playground" to "Jose Coronado Playground".

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Achtenberg Alioto Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
193-91-9

SEP 16 1992
Date Approved

Mayor

FILE NO. 290-92-7 RESOLUTION NO. 795-92

[Lead in drinking water]

URGING THE MAYOR TO URGE THE WATER DEPARTMENT TO INCLUDE NOTICES IN APPROPRIATE LANGUAGES REGARDING THE HAZARDS OF LEAD IN DRINKING WATER WHEN MAILING SUCH NOTICES AS REQUIRED BY ENVIRONMENTAL PROTECTION AGENCY GUIDELINES.

WHEREAS, Lead poisoning is the most serious environmental disease facing young children; and

WHEREAS, Excessive levels of lead in the blood of children can lead to behavioral problems, developmental disabilities, reduced attention spans, and at extreme levels brain damage and death; and

WHEREAS, Lead in drinking water is one of the sources that contributes to the lead poisoning of children; and

WHEREAS, A recent Health Department study revealed that over eight percent of the children tested who participate in the City's Child Health and Disability Prevention program had lead poisoning; and

WHEREAS, The Environmental Protection Agency ("EPA") recently passed guidelines which require local water departments to determine if notice of hazards in drinking water must be provided to rate payers; and,

SUPERVISOR SHELLEY August 31, 1992

WHEREAS, The San Francisco Water Department's test results require it to provide notice of hazards in drinking water to rate payers; and

WHEREAS, The Water Department will soon begin mailing notices informing rate payers of the possibility of lead in their drinking water; and

WHEREAS, According to the EPA guidelines, educational materials shall be communicated in the appropriate languages when a significant proportion of the population speaks a language other than English; and

WHEREAS, Many neighborhoods in San Francisco, notably Chinatown, the Mission and the Tenderloin, are comprised of mainly non-English speaking populations, and the risk of childhood lead poisoning may be higher than in other neighborhoods in the City; and,

WHEREAS, A majority of San Franciscans are tenants, many of whom would not receive the information distibuted by the Water Department; now, therefore, be it

SUPERVISOR SHELLEY August 31, 1992

BOARD OF SUPERVISORS

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RESOLVED, That the City and County of San Francisco urges the Mayor to urge the General Manager of the Water Department to include notices in appropriate languages regarding the hazards of lead in drinking water when mailing such notices as required by EPA guidelines; and, be it further

RESOLVED, That the City and County of San Francisco urges the Mayor to urge the General Manager of the Water Department to request rate payers to distribute the information to tenants.

SUPERVISOR SHELLEY August 31, 1992

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco September 8, 1992

Ayes: Supervisors Conroy Gonzalez Hallinan Hsieh Kennedy Shelley

Absent: Supervisors Achtenberg Alioto Britt Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
290-92-7

SEP 16 1992
Date Approved

Mayor

FILE NO. 1-92-37 RESOLUTION NO. 796-92

LEAVES OF ABSENCE

RESOLVED, That in accordance with the recommendation of the Mayor, the following leaves of absence with permission to leave the State, be and they are hereby granted:

Raymond Baxter, Director of Health,
October 15 - 17;

Barbara Cameron, member, Commission on the Status of Women,
August 29 - September 7;

Gordon Chin, member, Public Utilities Commission,
September 12 - 13, 23 - 24, 25, and September 30 - October 1;

Edward A. Chow, member, Health Commission,
September 20 - 22;

John E. Cribbs, Director, Department of Public Works,
September 13 - 16;

Bernard Crotty, member, Commission on the Aging,
September 4 - 10;

Michael Hardeman, member, Public Utilities Commission,
September 8 - 9;

Michael Huerta, Director, Port of San Francisco,
September 16 - 26;

Karen Kai, member, Human Rights Commission,
October 6 - 15;

Edwin Lee, Director, Human Rights Commission,
July 25 - 31 and September 16 - 23;

Eugene Lumpkin, member, Human Rights Commission,
September 3 - 8;

Victor Makras, member, Public Utilities Commission,
September 5 - 12 and 7 - 13;

Lawrence artin, member, Human Rights Commission,
September 8 - 12;

Rudy Nothenberg, Chief Administrative Officer,
September 28 - 29;

Juanita Owens, member, Board of Permit Appeals,
September 10 - 25;

Rebecca Castaneda, member, Health Commission,
October 16 - 26;

Barbara Sklar, member, Art Commission,
September 8 - October 18;

L.A. Turpen, Director of Airport,
September 4 - 12;

Douglas Wong, President, Port Commission,
September 16 - 20;

James Yee, member, Film and Video Arts Commission,
September 8 - 11, 1992.

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LA

Adopted on date of introduction
Board of Supervisors, San Francisco September 14, 1992

Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Conroy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
1-92-37

SEP 17 1992
Date Approved

Mayor

FILE NO. 4-92-23 RESOLUTION NO. 797-92

[Clean Water Month]

DECLARING THE MONTH OF OCTOBER 1992 AS CLEAN WATER MONTH.

WHEREAS, Clean water is a natural resource of tremendous value and importance to San Francisco; and

WHEREAS, Maintaining and improving water quality is essential to protect public health, to protect fisheries and wildlife, and to assure abundant opportunities for public recreation; and

WHEREAS, It is our responsibility to provide clean water as a legacy for future generations; and

WHEREAS, Substantial progress has been made in protecting and enhancing water quality since the passage of the 1972 Federal Water Pollution Control Act (Clean Water Act) due to concerted efforts by federal, state, and local governments, the private sector, and the public; and

WHEREAS, Serious water pollution problems persist and significant challenges lie ahead in the effort to protect water resources from point and non-point sources of conventional and toxic pollution; and

SUPERVISOR SHELLEY August 31, 1992

WHEREAS, Further development of water pollution control programs and advancement of water pollution research, technology, and education are necessary and desirable; and

WHEREAS, October of 1992 is the 20th anniversary of the enactment into law of the Clean Water Act; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby declares the month of October as "Clean Water Month", in celebration of San Francisco's accomplishments under the Clean Water Act, and the City's firm commitment to the goals of that Act.

SUPERVISOR SHELLEY August 31, 1992

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Adopted - Board of Supervisors, San Francisco September 14, 1992

Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Conroy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Jean Lum
ACTING Clerk

File No.
4-92-23

SEP 17 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 4-92-24 RESOLUTION NO. 798-92

[Pacific Economic Cooperation Week]

DECLARING THE WEEK OF SEPTEMBER 21, 1992 PACIFIC ECONOMIC COOPERATION WEEK.

WHEREAS, The City and County of San Francisco represents a major center of international business and development; and

WHEREAS, The majority of foreign investment originates in the Pacific Basin; and

WHEREAS, The City and County of San Francisco has experienced a 50 percent growth in investment from Pacific Rim companies; and

WHEREAS, Pacific Rim companies account for more than 4,200 jobs in San Francisco; and

WHEREAS, San Francisco and the Pacific Rim symbolize a fundamental model of economic cooperation and development; and

WHEREAS, San Francisco is committed to sustaining and enhancing cooperation with the nations and economies of the Pacific Rim; and

WHEREAS, The Pacific Economic Cooperation Council, a tripartite organization dedicated to fostering open trade and investment throughout the Pacific Rim, will be holding its Ninth General Meeting (PECC IX) in San Francisco from September 23 through September 25, 1992; and

SUPERVISOR SHELLEY August 31, 1992

WHEREAS, This twenty-nation organization will bring to San Francisco more than five-hundred leading business, government and academic leaders to further economic cooperation and collaboration among the Pacific Basin countries and economies; and

WHEREAS, The theme for PECC IX, "Open Regionalism: A Pacific Model for Global Economic Cooperation," will provoke timely discussions on trade and investment during PECC IX; and

WHEREAS, The Ninth General Meeting of the Pacific Economic Cooperation Council represents the largest gathering of world leaders in San Francisco since the signing of the United Nations Charter in 1945; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco declares the week of September 21, 1992 Pacific Economic Cooperation Week; and, be it further

RESOLVED, That the Board of Supervisors welcomes the Pacific Economic Cooperation Council to our City for fruitful and productive discussions on economic development and progress within the Asia Pacific Region.

SUPERVISOR SHELLEY August 31, 1992

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Adopted - Board of Supervisors, San Francisco September 14, 1992

Ayes: Supervisors Britt Gonzalez Hallinan Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg Alioto Conroy Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

Jean Lunn
ACTING Clerk

File No.
4-92-24

SEP 17 1992
Date Approved

Frank M. Jordan
Mayor

FILE NO. 48-92-20

RESOLUTION NO. 799-92

RO #92049

CC

(SETTLEMENT OF CLAIM)

APPROVING THE SETTLEMENT OF THE UNLITIGATED CLAIM OF STATE FARM INSURANCE CO. IN THE SUM OF $6,379.46.

WHEREAS, State Farm Insurance co. has filed a claim against the City & County of San Francisco for Property Damages;

WHEREAS, the Department of Public Works of the City & County of San Francisco has recommended settlement of said claim by payment of $6,379.46

WHEREAS, the City Attorney has approved the settlement, now therefore, be it

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $6,379.46 is hereby approved.

APPROVED AS TO FORM AND RECOMMENDED

LOUISE H. RENNE
City Attorney

BARRON WEINSTEIN
Acting Chief Trial Deputy

RECOMMENDED:

Department of Public Works

JOHN E. CRIBBS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

01 001 97 09 90
309674 1450 $6,379.46

EDWARD M. HARRINGTON
Controller

AUG 19 1992

BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco September 14, 1992

Ayes: Supervisors Achtenberg Britt Conroy Gonzalez Hallinan Hsieh Kennedy Shelley

Absent: Supervisors Alioto Maher Migden

I hereby certify that the foregoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco

ACTING Clerk

File No. 48-92-20

SEP 17 1992
Date Approved

Mayor

AS AMENDED IN COMMITTEE - 9/9/92

FILE NO. 27-92-8 (AIRPORT FINANCING)

RESOLUTION NO. 800-92

AUTHORIZING AIRPORTS COMMISSION TO FILE APPLICATION AND ACCEPT AND EXPAND GRANT OF $11,885,183 FROM FEDERAL AVIATION ADMINISTRATION FOR ASSISTANCE IN IMPROVEMENT AT THE AIRPORT (A.I.P. NO. 14); PLACING $10,399,433 ON RESERVE.

GJ 9/9

WHEREAS, Certain essential improvements which are to be constructed at San Francisco International Airport are eligible for Federal Funds under the Airport Improvement Program which provides for reimbursement by the Federal Aviation Administration of a portion of the allowable project costs;

WHEREAS, All indirect services provided by the City to the Airport and the Commission are covered in the Annual Service Payment pursuant to the Lease and Use Agreement between the City of San Francisco and the major airlines using San Francisco International Airport, with any request for additional reimbursement for indirect services in this grant being illegal, the requirements of Section 10070 of the San Francisco Administrative Code are deemed satisfied; now, therefore, be it

RESOLVED, That the Airports Commission, which has jurisdiction over the San Francisco International Airport is hereby authorized to execute and file a Project Applicaton, A.I.P. No. 14, with the Federal Aviation Administration for assistance in the improvement of San Francisco International Airport under the Airport Improvement Program; Project application shall include the fabrication and installation of approximately 200 new lighted taxiway guidance signs as required by the FAA; the Construction and overlay of approximately 1250' of new Taxiway "H" extension and the maintenance of Taxiways N" and "P", the Construction of 1,200,000 square feet of new holding apron together with all appurtenant and necessary edge lighting and striping, and the construction of approximately 8,400 linear feet of new dike of the water boundary of the southeast quadrant of the Airport. The estimated total cost is $15,846,911 of which $11,885,183 is eligible for reimbursement by the Federal Aviation Administration, and any amendments made thereto, and, be it

GJ 9/9

Teresa Tuda

GJ 9/9

FURTHER RESOLVED, That funds in the amount of $10,399,433 are hereby placed on reserve, pending the provision of information on contractors' cost details and the determination of the MBE/WBE status of the contractors, to be released by the Finance Committee.

BOARD OF SUPERVISORS

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Adopted - Board of Supervisors, San Francisco September 14, 1992

Ayes: Supervisors Britt Conroy Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg Alioto Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

ACTING Clerk

File No.
27-92-8

SEP 17 1992
Date Approved

Mayor

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